



PERSONNEL POLICIES MANUAL

SALEM COUNTY
PERSONNEL POLICIES
MANUAL

DISCLAIMER

THE CONTENTS OF THIS MANUAL ARE PRESENTED AS A MATTER OF INFORMATION ONLY. THE PLANS, POLICIES AND PROCEDURES DESCRIBED ARE NOT CONDITIONS OF EMPLOYMENT. THE COUNTY RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, POLICIES, OR PROCEDURES, IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE. THE LANGUAGE THAT APPEARS IN THIS MANUAL IS NOT INTENDED TO CREATE NOR IS IT TO BE CONSTRUED TO CONSTITUTE A CONTRACT BETWEEN THE COUNTY AND ANY ONE OR ALL OF ITS EMPLOYEES. EXCEPT AS OTHERWISE PROVIDED BY A COLLECTIVE BARGAINING AGREEMENT OR APPLICABLE LAW, ALL EMPLOYEES ARE EMPLOYEES AT-WILL. THIS MEANS THAT ANY EMPLOYEE MAY VOLUNTARILY TERMINATE HIS OR HER EMPLOYMENT AT ANY TIME, FOR ANY REASON. IT ALSO MEANS THAT THE COUNTY MAY TERMINATE ANY EMPLOYEE'S EMPLOYMENT AT ANY TIME WITH OR WITHOUT GOOD CAUSE.

SOME OF THE COUNTY'S EMPLOYEES BELONG TO A UNION. THE PERSONNEL POLICIES AND PROCEDURES CONTAINED IN THIS MANUAL ARE NOT INTENDED TO VOID, REPLACE, OR CONFLICT WITH NEGOTIATED UNION CONTRACTS. AS TO UNIONIZED EMPLOYEES, TO THE EXTENT A COLLECTIVE BARGAINING AGREEMENT CONFLICTS WITH THESE PERSONNEL POLICIES AND PROCEDURES, THE COLLECTIVE BARGAINING AGREEMENT SHALL SUPERSEDE AND/OR MODIFY THESE PERSONNEL POLICIES AND PROCEDURES.

THIS PERSONNEL POLICIES AND PROCEDURES MANUAL SUPERCEDES ANY PRIOR EMPLOYMENT POLICIES, PRACTICES OR UNDERSTANDINGS.

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POLICY

[illegible]

Introductory Letter

The County of Salem is committed to providing a high level of service to the public while maintaining a high level of morale among County of Salem employees. Toward this goal, the County of Salem has developed this personnel policies and procedures manual.

As a principal member of the County of Salem's team, it is important that you understand, support and administer these policies and procedures if we are to achieve our goal. With your assistance and through your professional leadership, we will attain the consistent and equitable practice necessary for effective operations.

Purpose of Manual

The purpose of this Manual is to establish policies and formalize procedures for all Salem County employees. The Manual also applies to the employees of certain County of Salem government related employers (hereafter “County Government Related Employers”) who, as appointing authorities in their own right, have approved and adopted this Manual. This Manual applies to the following County Government Related Employers and their employees:

- Sheriff’s Department (including Corrections)
- Prosecutor’s Office
- Salem County Board of Elections
- County Clerk
- Surrogate’s Office
- Library Commission
- Tax Board
- Any other committee, commission, agency, board or entity affiliated directly with or appointed by the Salem County Board of Chosen Freeholders which may come to have employees covered by these policies unless and until those entities develop their own personnel policies and procedures.

County Government Related Employees as used in this Manual means employees of County Government Related Employers.

County Government Employees as used in this Manual means employees who fall under the Board of Chosen Freeholders appointing authority (employees of the Department of Health & Human Services, Department of Consumer Affairs, Public Works Department, County Engineer’s Office, Planning Department, Treasury Department, and Administrator/Clerk of the Board’s Office, etc.)

County Government as used in this Manual means the government operations that fall under the Salem County Board of Chosen Freeholders as the appointing authority.

Employees as used in this Manual refers collectively to County Government Employees and County Government Related Employees.

County/County of Salem as used in this Manual refers collectively to County Government and County Government Related Employers.

This Manual is designed to deal with general topics relevant to all employees. Many County Department Heads have or may issue procedural manuals, directives or other operational instructions that address departmental issues more specifically than this Manual. In those instances, employees must follow the more specific departmental directives. The Manual refers

Purpose of Manual (cont'd)

certain employees to more specific departmental directives, where those directives were known. In the event any employee has questions relating to the applicability of any provision in this Manual, the question should be submitted in writing to the Human Resources Office who will respond after consultation with the appropriate Department Head and/or County Related Employer.

All Departments that adopt more specific procedural manuals, directives or other operational instructions must have those department directives reviewed by counsel. They must be adopted by the appointing authority, and a copy must be filed with the County Administrator.

The policies and procedures contained in this Manual are not intended to void, replace, or conflict with applicable New Jersey Department of Personnel rules and regulations or with negotiated union contracts. Except as provided by New Jersey Department of Personnel Rules, a collective bargaining agreement, or other applicable law, all employees are employees at will.

This policies and procedures Manual is not to be construed as a contract or other legal promise.

The County reserves the right to rescind or revise any or all policies contained in this Manual at any time with or without notice, subject to the rights of unionized employees regarding mandatorily negotiable terms and conditions of employment under N.J.S.A. § 34:13A-1 et seq. and N.J.A.C. § 19:10-1.1 et seq.

Format of Manual

Each policy and procedure in this manual has its own page number with a prefix that identifies the section.

EXAMPLE: III-5 Interviewing Guide

Distribution of Manual

The Personnel Policies Manual shall be distributed to all employees upon adoption and to new employees upon hire. The Procedures Manual is an internal management document for distribution to all County Department Heads and their designees only.

Each employee is responsible for the manual assigned to him or her and must surrender the manual upon leaving his or her position with the County.

Manuals will be assigned to and collected from employees by the Human Resources Office.

I. GENERAL INFORMATION

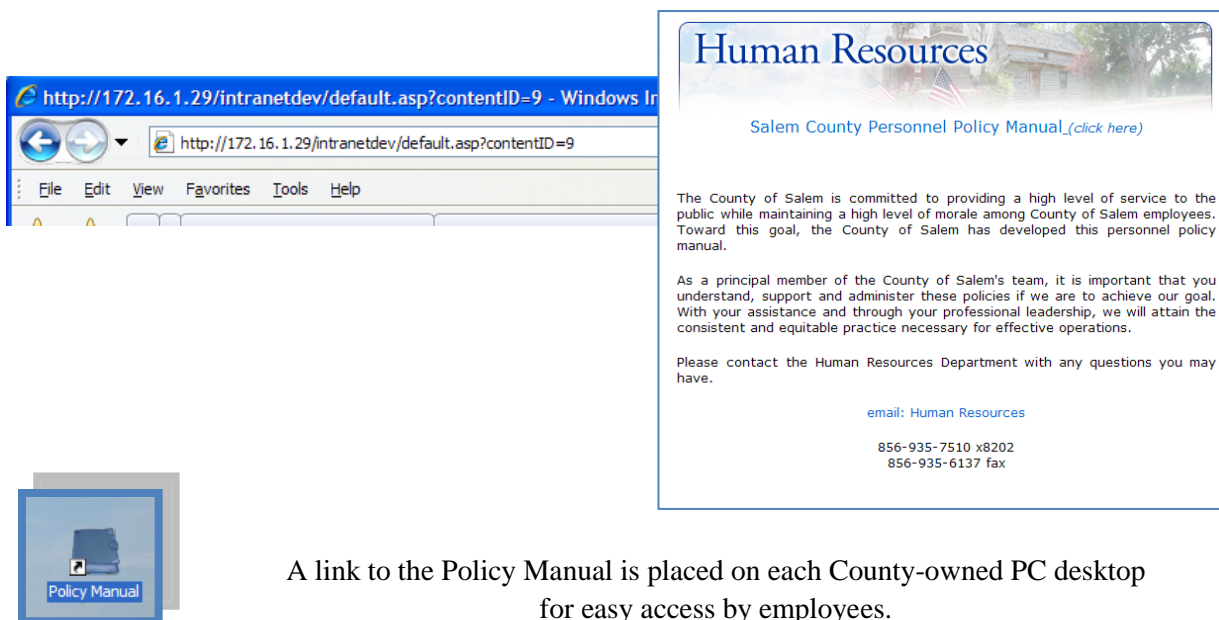
EXHIBIT

Distribution of Manual

Acknowledgment of Receipt of Manual Information

Employee Name: _____

THE PERSONNEL POLICIES MANUAL IS FOUND ON THE COUNTY INTRANET AT
<http://172.16.1.29/intranetdev/default.asp?contentID=9>



A link to the Policy Manual is placed on each County-owned PC desktop for easy access by employees.

NOTICE: The manual explains the County's personnel policies and supersedes any prior contracts, policies, or understandings regarding employment practices. Employees are expected to read and become familiar with the contents of the Manual and updates to the Manual as instructed.

Employees are considered to be at-will unless they are protected by a collective bargaining agreement or have tenure under the Civil Service Law or other applicable laws. At-will employment may be terminated at any time, for any reason, with or without cause, and with or without notice.

The County may amend, supplement, or terminate these policies without advance notice. The personnel policies contained in the manual are not intended to nullify, replace, or conflict with negotiated union or association contracts. As to unionized employees, to the extent a collective bargaining agreement conflicts with these personnel policies, the collective bargaining agreement supersedes and/or modifies these personnel policies.

I. GENERAL INFORMATION

EXHIBIT

Distribution of Manual

Acknowledgment of Receipt
of Manual Information (cont'd)

The personnel policy manual is the property of the County of Salem (the "County"). Upon separation from employment with the County, any printed or electronically saved copies of the personnel policy manual and any updates shall be returned to the Human Resources Office.

Acknowledgment:

I, _____, acknowledge receipt of this Personnel Policies Manual on _____.

Signature of Employee: _____

Date: _____

Signature of Human Resources Representative: _____

Date: _____

Review and Update of Manual

The written policies and procedures in this manual will be revised whenever any changes in personnel policies, operations or the law necessitate such action.

In addition, the Human Resources Office or its designee shall endeavor to review the manual periodically, for additions, deletions or changes to its contents.

Approved revisions will be distributed to all current policy manual holders, who are responsible for ensuring their manual is up-to-date at all times.

Users of this manual who encounter difficulty in administering or interpreting any policy or procedure in the manual should submit their questions/concerns in writing to his or her Department Head with a copy to the Human Resources Office. The writing should contain the nature of the difficulty, a proposed solution or revision, and, if necessary, a request to meet with the Department Head.

I. GENERAL INFORMATION

EXHIBIT

Review and Update of Manual

Review/Interpretation of
Policy or Procedure

Employee Name: _____ Date: _____

Department: _____

1. Identify section which requires interpretation or revision.
(Provide complete information - Chapter, page, paragraph, etc.)

2. Nature of problem or question.

3. Proposed solution or suggested revision.

4. Check only if desired or necessary.

☐ I'd like to meet with you to discuss this.

Definitions

APPOINTING AUTHORITY: The person or group of persons having power of appointment or removal. (N.J.A.C. § 4A:1-1.3).

- For County Government Employees, the appointing authority function is performed through the Personnel Action Request (PAR) process which requires signatures of: the applicable Department Head; the Director of Human Resources; the Chairperson of the applicable Freeholder Board Committee; the County Administrator; and the Freeholder Director. In the case of a conflict or disagreement among these five individuals, the Freeholder Director's decision controls.

Exceptions to the foregoing rule include appointments to County offices and high level positions, as follows: County Treasurer, County Administrator, Clerk of the Board, Deputy Clerk of the Board, County Counsel, County Labor Attorney, County Engineer, County Planner, and all County Department Heads. In such instances the appointment is made by resolution of the Freeholder Board.

- For Prosecutor's Office employees (including Assistant Prosecutors, Detectives and Investigators, and clerical/support staff) the appointing authority is the Prosecutor, or his or her designee.
- For Sheriff's Department employees (including Sheriff's Officers, Corrections Officers and clerical/support staff) the appointing authority is the Sheriff, or his or her designee.
- For Board of Election employees, the appointing authority is the Board of Elections.
- For Board of Taxation employees, the appointing authority is the County Tax Administrator pursuant to N.J.S.A. 54:3-7(a) who shall submit a PAR to be countersigned by the County Administrator, Freeholder Committee Chairperson and Freeholder Director. The appointing authority for the County Tax Administrator is the County Board of Taxation.
- For County Clerk employees, the appointing authority is the County Clerk, or his or her designee.
- For Surrogate employees, the appointing authority is the Surrogate, or his or her designee.

Definitions (cont'd)

- For employees of County Government Related Employers not specified above, the appointing authority is the person, or group of persons, having power of appointment or removal, regarding the subject employee.

CAREER SERVICE (formerly classified service): Positions and job titles subject to the tenure provisions of Title 11A, New Jersey Statutes. There are two divisions in the Career Service, Competitive and Non-Competitive. (N.J.A.C. § 4A:1-1.3).

CERTIFICATION: A list of names presented to the appointing authority for regular appointment. (N.J.A.C. § 4A:1-1.3).

COMPETITIVE DIVISION: One of the two divisions in the Career Service. To become a permanent employee in this division requires filing for and successfully completing an examination process which includes a working test period. (N.J.A.C. § 4A:3-1.2).

COUNTY/COUNTY OF SALEM: County Government and County Government Related Employers.

COUNTY GOVERNMENT: The government operations that fall under the Salem County Board of Chosen Freeholders as the appointing authority.

COUNTY GOVERNMENT RELATED EMPLOYEES: Employees who fall under the Board of Chosen Freeholders appointing authority (such as Courthouse administrative employees, employees of the Department of Health, Department of Weights & Measures, Road & Bridge Department, County Engineer and Planning Department, Treasury Department, and County Administrator /Clerk of the Board's Office, etc.)

COUNTY GOVERNMENT EMPLOYERS: County Government Employers include:

- Sheriff's Department (including Corrections)
- Prosecutor's Office
- Salem County Board of Elections
- County Clerk
- Surrogate's Office
- Library Commission
- Tax Board
- Any other committee, commission, agency, board or entity affiliated directly with or appointed by the Salem County Board of Chosen Freeholders which may come to have employees covered by these policies unless and until those entities develop their own personnel policies and procedures.

Definitions (cont'd)

COUNTY GOVERNMENT RELATED EMPLOYEES: Employees of County Government Related Employers.

COUNTY OF SALEM: County Government and County Government Related Employers.

DEMOTION: A reduction in job title or scale of compensation. (N.J.A.C. § 4A:1-1.3).

DEPARTMENT HEAD: The supervisor of a unit of employees given the designation of "Department Head" by the Appointing Authority.

In County Government, the Department Heads include:

- County Administrator
- Clerk of the Board
- County Engineer
- County Treasurer/Chief Financial Officer
- Director of Human Resources
- Director of Emergency Management Services
- Director of Public Health
- Director of Social Services
- Director of Transportation
- Superintendent of Schools

In the Sheriff's Department, the Sheriff has not designated the Undersheriff or Warden or Deputy Warden as Department Heads. Therefore, the Sheriff is the only Department Head in the Sheriff's Department.

In the Prosecutor's Office, the Department Heads include:

- First Assistant Prosecutor
- Chief of Detectives

In the Tax Board, the Department Head is the County Tax Administrator.

If an Appointing Authority has not designated a Department Head, "Department Head" shall mean the highest level supervisory person of the subject employee, or in the absence of the highest level supervisory person, the Appointing Authority. If uncertainty as to the identity of the appropriate Department Head or Appointing Authority exists, consult the County Administrator.

Definitions (cont'd)

ELIGIBLE LIST: A roster of persons qualified for employment or reemployment compiled or approved by the New Jersey Department of Personnel. (N.J.A.C. § 4A:1-1.3).

EMPLOYEES: County Government Employees and County Government Related Employees.

EXEMPT EMPLOYEE: Executive, administrative or professional employees who are not eligible for overtime under the Fair Labor Standards Act. If any employee has questions about exempt employee status, please contact the Payroll Office.

FULL-TIME POSITION (Employee): One that requires the incumbent to work the full number of hours established by the County for the specific position or group of positions. Typical full-time work weeks include, but are not limited to 35, 37½, or 40 hours per week.

GRIEVANCE: An employee complaint regarding any term or condition which is beyond the employee's control and can be remedied by management. (N.J.A.C. § 4A:2-3.1(b)).

INTERIM APPOINTMENT: An appointment made while a permanent employee (1) is on an approved leave of absence, (2) is on indefinite suspension, or (3) has been removed or demoted for disciplinary reasons and is awaiting final administrative action by the Merit System Board on appeal, which shall only remain in effect until the employee returns from leave, at which time the appointee reverts to his/her former status. Interim appointments may only be made to fill a vacancy created by a leave of absence, an indefinite suspension, or pending a disciplinary appeal and does not include vacancies created by the moving of other employees to fill the vacancy created by the employee on leave. (N.J.A.C. § 4A:4-1.6.)

LAYOFF: Separation of permanent employee from employment because of economy, efficiency or other related reasons and not for disciplinary reasons. (N.J.A.C. § 4A:1-1.3).

MERIT SYSTEM: A personnel system that provides for a fair balance between managerial needs and employee protection governed by Title 11A, New Jersey Statutes. Jurisdictions which elect to adopt Title 11A are subject to the rules and regulations of Title 4A of the New Jersey Administrative Code.

NON-COMPETITIVE DIVISION: A division of the Career Service in which employees become permanent without competing in an examination process, but successfully pass a working test period. (N.J.A.C. § 4A:3-1.2(d)).

Definitions (cont'd)

NON-EXEMPT EMPLOYEE: An employee who is eligible for overtime using the standards set forth under the Fair Labor Standards Act. If any employee has questions about non-exempt employee status, please contact the Payroll Office.

OFFICIAL: Any person, whether compensated or not, whether part-time or full-time, who is elected to or serves on the Board of Chosen Freeholders of Salem County or any board, commission, committee, agency or similar body of any County Government Related Employer.

OPEN COMPETITIVE EXAM: A test open to members of the public who meet the prescribed requirements for admission. (N.J.A.C. § 4A:1-1.3).

PART-TIME EMPLOYEE: An employee whose regular hours of work are less than the regular and normal work week for that job title or agency. (N.J.A.C. § 4A:1-1.3).

PERMANENT EMPLOYEE: A Career Service employee who has acquired the tenure and rights resulting from regular employment and successful completion of the working test period. (N.J.A.C. § 4A:1-1.3).

PROMOTION: An advancement in job title. (N.J.A.C. § 4A:1-1.3).

PROMOTIONAL EXAM: A test open to permanent employees who meet the prescribed requirements for admission. (N.J.A.C. § 4A:1-1.3).

PROVISIONAL APPOINTMENT: Employment in the competitive division of the Career Service pending the appointment of a person from an eligible list. (N.J.A.C. § 4A:1-1.3).

REGULAR APPOINTMENT: Employment of a person to fill a position in the competitive division of the Career Service upon examination and certification OR the employment of a person to a position in the non-competitive division of the Career Service. (N.J.A.C. § 4A:1-1.3).

REMOVAL: Termination of a permanent employee from employment for disciplinary reasons. (N.J.A.C. § 4A:1-1.3).

SPECIAL REEMPLOYMENT LIST: An eligible list which includes former or current permanent employees who were laid off, laterally displaced or demoted in lieu of layoff. (N.J.A.C. § 4A:4-3.1(a)(5)).

Definitions (cont'd)

STRIKE: The concerted failure to report for duty or willful absence of any employee from his position, or stoppage of work, or absence in whole or in part including but not limited to slowdowns, from the full, faithful and proper performance of the employee's duties or employment.

SUSPENSION: Temporary separation from employment for disciplinary reasons. (N.J.A.C. § 4A:1-1.3).

TEMPORARY APPOINTMENT: An appointment made to a position in which the job assignment is for an aggregate period of not more than 6 months in a 12-month period. A temporary appointment for a maximum of 12 months may be approved to a position established as a result of a short-term grant. (N.J.A.C. § 4A:4-1.7).

TRANSFER: A permanent transfer is the movement of a permanent employee between organizational units within the same governmental jurisdiction. (N.J.A.C. § 4A: 4-7.1(a)).

A temporary transfer may be voluntary or involuntary and is the movement of a permanent employee between organizational units within the same governmental jurisdiction for a maximum of six months to effect economies, make available a needed service for short periods or for any other documented purpose which is in the best interest of the public service. All temporary transfers must be approved by the Commissioner of the Department of Personnel. (N.J.A.C. 4A: 4-7.1(d)).

UNCLASSIFIED SERVICE: Positions and job titles which are not subject to the tenure provisions of Title 11A, New Jersey Statutes, unless otherwise specified. (N.J.A.C. § 4A:1-1.3).

VETERAN'S PREFERENCE: The preference given to a veteran in appointment and layoff. (N.J.A.C. § 4A:5-1.1).

WORKING TEST PERIOD: A part of the examination process after regular appointment, during which time the work performance and conduct of the employee is evaluated to determine if permanent status is merited. (N.J.A.C. § 4A:1-1.3).

Management Rights

The County hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the laws and Constitutions of the State of New Jersey and of the United States including, but not limited to, the following rights:

1. To manage and control the affairs of the County of Salem and its properties and facilities, its operation, and the work activities and scheduling of its employees;
2. To hire all employees and, where applicable, subject to the provisions of New Jersey Department of Personnel regulations, and/or collective bargaining agreements, determine their qualifications, standards of performance, and conditions for continued employment or assignment, promotion, and transfer;
3. To suspend, demote, discharge, or take other disciplinary action for good and just cause according to law;
4. To establish rules, regulations, policies, and procedures to effect the orderly and efficient administration of the County of Salem's personnel management system.
5. The failure of the County of Salem to exercise any of the foregoing rights, or any other management rights, shall not be construed as a waiver of these rights.
6. To layoff according to law.

Ethics Guidelines

In our representative form of government, it is essential that employees and officials uphold the respect and confidence of the people. Employees and officials should, therefore, avoid conduct which violates the public trust or which creates a justifiable impression among the public that the trust is being violated.

All employees and officials must conduct themselves in accordance with N.J.S.A. 40A:9-22.1 *et seq.*, the Local Government Ethics Law. In addition, the Prosecutor and employees of the Prosecutor's Office must comply with the Code of Ethics for County Prosecutors.

The following are some examples of situations in which an employee or official could use his or her position in an unethical manner.

- Accepting any gifts or entertainment from any company, business, individual or agency which has had or is likely to have any professional or official transactions with the County.
- Borrowing money from individuals or firms, except recognized lending institutions, with which the County does business.
- Conducting County business with a firm in which the employee or official or an immediate family member of the employee or official has a substantial interest.
- Holding a substantial interest in a firm or managing a firm with which the County regularly conducts business.
- Misusing, or revealing confidential information to unauthorized parties.
- Participating in civic or professional organizational activities in a way which results in the disclosure of confidential information.
- Simultaneous employment with a firm which is a County supplier.
- Speculating or dealing in materials, equipment, supplies or services purchased by the County.

All employees/officials are responsible for implementing this policy by reporting circumstances which appear to violate legal, regulatory or ethical requirements.

Ethics Guidelines (cont'd)Conflict of Interest

Employees and officials have an obligation to avoid actual or potential conflicts of interest in conducting County business. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

A conflict of interest occurs when an employee or official is in a position to influence a decision that may result in personal gain for that employee or official, for an immediate family member, or for a business in which the employee or official or an immediate family member has a personal interest. For the purpose of this policy, immediate family includes a spouse or dependent child residing in the employee's or official's household.

No presumption of guilt is created by the mere existence of a relationship with outside firms. However, if an employee or official has any influence on transaction involving purchases, contracts, or leases, it is imperative that he or she disclose to the board, committee, commission, agency, or other body, or to his or her Department Head, as applicable, as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or official or relative of an employee or official has a significant ownership in a firm with which the County does business but also when an employee or official or relative of an employee or official receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

Confidential Information

The data of the County is the property of the County and should never be given to an outside firm or individual except through normal channels with appropriate authorization and as required by law. Any improper disclosure of information, even though it is not apparent that an employee or official has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including termination of employment. All employees/officials need to be aware of the importance of conducting themselves in an ethical manner. As such, employees/ officials shall not take part in or attempt to influence in any way any activity in which their own best interests may conflict with the best interests of the County. Note that this policy applies to data or information that is not subject to disclosure pursuant to the Open Public Records Act.

Ethics Guidelines (cont'd)Procedure for Recusal

Recusal is the process by which an employee or official who makes decisions on behalf of the employer is excused from taking action in a certain situation because of a conflict.

An employee or official must recuse himself or herself from a matter if he or she has:

- (1) Any financial interest, direct or indirect, that is incompatible with the discharge of the official or employee's public duties; or
- (2) Any personal interest, either direct or indirect, that is incompatible with the discharge of the official or employee's public duties.

An incompatible financial or personal interest includes, but is not limited to, outside employment; a debtor/creditor relationship; a fiduciary relationship; a source of income; any matter pertaining to a relative or cohabitant; a relationship with a person providing funds, goods or services without compensation; any matter pertaining to a business associate or business investment; and a leadership role in a professional or trade organization; which interest might reasonably be expected to impair an employee's or official's objectivity and independent or judgment in the exercise of his or her official duties or might reasonably be expected to create an impression or suspicion among the public having knowledge of his or her acts that he or she may be engaged in conduct that violates his or her trust as an employee or official.

An incompatible financial or personal interest may exist in other situations which are not clearly within the provisions above, depending upon the totality of the circumstances.

If an employee or official finds that an incompatible financial or personal interest exists on a matter, the employee or official must recuse himself or herself from the matter. The recusal must be absolute, that is, the employee or official must not have any involvement with the matter from which he or she recused himself or herself.

All recusals, except as provided below, must be memorialized in writing. The writing must:

- Specify the reason for the recusal;
- Specify the date of the recusal;
- Specify the duration of the recusal (which may be expressed in terms related to the pendency of the matter);
- Specify the effect of the recusal on the employee or official (for example, that the employee or official is not to be contacted or involved or participate in any manner concerning the matter from which he or she has been recused);

Ethics Guidelines (cont'd)

- Name the person who is to assume responsibility and authority for the matter from which the employee or official has been recused (if applicable); and
- Be disseminated to all persons who might be affected by the recusal;
- Be retained by the County Administrator, who shall retain the writing for as long as the employee or official remains an employee or official of the County;

In the case of a board, committee, commission or agency that maintains a public record of a proceeding, a formal written recusal is not required. The following procedure, however, must be followed:

- To the extent feasible, meeting materials involving a matter from which the official must recuse himself or herself should not be distributed to the official;
- At the subject meeting, the official must place his or her recusal on the records prior to any discussion of the matter; and
- The official must leave the room during the non-public portion of the meeting while the matter in question is under discussion.

Procedure for Reporting a Violation

Employees/officials who believe an ethical violation or a conflict of interest or other wrongdoing has occurred must report the violation to the appropriate Department Head. The Department Head will forward the report to the County Administrator.

If it is not practical for an employee to report the alleged violation to his or her Department Head, or if an employee is not satisfied with the Department Head's response, the employee shall file a written report with the County Administrator.

The County Administrator or his or her designee, upon receipt of any report of suspected violations, will initiate an investigation.

All records, including employee identity, shall be kept confidential, except as necessary during an investigation. The accused shall have a fair opportunity to respond to allegations. No retaliation may be taken against an employee who in good faith reports suspected violations even if a subsequent investigation reveals no wrongdoing.

Employees or officials who are found to be in violation of any provisions of Salem County's Ethic Guidelines may be subject to censure, fine, suspension or termination in addition to other penalties as specified by State or local laws.

Employee Protection Against Reprisals or Political Coercion

The County will not take or threaten to take any reprisal action against an employee in the career or unclassified service in retaliation for an employee's lawful disclosure of information on the violation of any law or rule, governmental mismanagement or abuse of authority. (See N.J.A.C. § 4A:2-5.1(a)).

The County will not take or threaten to take any action against an employee in the career service based on the employee's permissible political activities or affiliations. (See N.J.A.C. § 4A:2-5.1(b)).

An employee may appeal a reprisal or political coercion action to the Merit System Board within 20 days of the action or the date on which the employee should reasonably have known of its occurrence (N.J.A.C. § 4A:2-5.2). Employees who are not covered by Department of Personnel regulations may appeal to their respective appointing authority.

For additional information, see County Communications on Religious and Political Matters Policy.

Equal Employment Opportunity

The County of Salem maintains a strong policy of equal employment for all employees and applicants for employment. The County hires, trains, promotes and compensates employees on the basis of personal competence and potential for advancement without regard for race, color, creed, ancestry, religion, sex, sexual orientation, national origin, age, marital status, disability, citizenship, veteran status, as well as other classifications protected by applicable federal or state laws, unless required by a bona fide occupational qualification.

This policy is applicable to all phases of employment, such as recruitment, selection, appointment, placement, promotion, demotion, transfer, training, wages, benefits, working conditions, and such personnel actions as layoff, recall, discharge, disciplinary action, performance evaluation and use of all facilities.

Americans With Disabilities

The County complies with the New Jersey Law Against Discrimination and the Americans With Disabilities Act. The County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The County also will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense.

The County's nondiscrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination.

Definitions

The Americans With Disabilities Act defines an individual with a disability as any person who:

- (1) has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking;
- (2) has a record of such an impairment; or
- (3) is regarded as having such an impairment.

An individual must satisfy at least one of the three prongs of the above definition to be considered an individual with a disability under the ADA. Temporary conditions, such as a broken leg, are not disabilities, nor are minor impairments, such as vision problems that are correctable with glasses.

The New Jersey Law Against Discrimination defines disability as a physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

Americans With Disabilities (cont'd)

A qualified individual is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position held or sought. An individual who poses a threat to the health and safety of oneself or to others is not qualified.

Reasonable accommodation means any change or adjustment to a job or work environment that does not impose an undue hardship on the County, or that permits a qualified applicant or employee with a disability to participate in the job application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Requesting Accommodation

Qualified employees or prospective employees with disabilities may request accommodations to perform the essential functions of their job or gain access to the hiring process. Employees or prospective employees should direct their written request to the Human Resources Office. In the written request, the employee or prospective employee should identify themselves as a person with a disability, eligible for protection, and identify the nature of the accommodation or consideration desired. The County may require the employee to provide adequate medical or other appropriate documentation of the disability and the need for the desired accommodation. The County will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or employee with a disability unless the accommodation would impose an undue hardship on the County's business operation.

To further the County's nondiscrimination policy, the County will:

- Identify the essential functions of a job;
- Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and
- Determine whether a reasonable accommodation can be made for a qualified individual.

Reasonable accommodations that the County may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include the following:

- Making existing facilities accessible and usable;
- Job restructuring;
- Part-time or modified work schedules;

Americans With Disabilities (cont'd)

- Acquiring or modifying equipment or devices;
- Appropriate adjustment or modifications of testing materials, training materials, and/or policies;
- Reassignment to a vacant position.

The County is also committed to not discriminating against any qualified employee or applicant because he or she is related to or associated with a person with a disability.

If any applicant or employee has questions concerning the County's equal employment opportunity policy, he or she should contact the Human Resources Office.

Policy Against Harassment

The County of Salem is committed to providing a work environment that is free of discrimination. The County will not tolerate harassment of or by County employees towards anyone, including any supervisor, co-worker, or non-employee, including vendors and citizens.

Applicability

This policy applies to all people employed by the County of Salem, including, but not limited to the Sheriff's Office, the Prosecutor's Office, the Office of the County Clerk, and the Surrogate's Office, as well as volunteers working on behalf of the County, and prohibits such conduct by or towards all such employees/ volunteers. Independent contractors, vendors and all other parties, engaged in a professional business relationship with the County of Salem are also expected to abide by the policy. In addition, no County employee shall be required to withstand behavior from the public which violates this policy.

Purpose

This policy is designed to ensure all employees of the County of Salem a work environment free of any type of discrimination based upon a protected status, including freedom from sexual harassment. The purpose of this policy is to inform employees that harassment based upon a protected status is prohibited, to educate employees about harassment based upon a protected status and to provide employees with a procedure to bring complaints to management's attention.

Provisions

1. All County employees are expected to avoid any behavior or conduct of a harassing or discriminatory nature. The County prohibits any form of harassment or discrimination related to an employee's protected group status, including race, creed, color, national origin, ancestry, religion, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, familial status, genetic information, sex, gender identity or expression, disability (including perceived disability, physical, mental, and/or intellectual disabilities), atypical hereditary cellular or blood trait, or because of the liability for service in the Armed Forces of the United States, veteran status, citizenship status, or any other group status protected by law. Harassment includes, but is not limited to:
 - A. Treating an individual less favorably based on a person's protected group status;
 - B. Using derogatory or demeaning slurs to refer to a person's protected group status;

Policy Against Harassment (cont'd)

- C. Calling another by an unwanted nickname which refers to one or more protected group statuses, or telling ethnic jokes that harass an employee or create a hostile work environment;
- D. Using derogatory references regarding a protected group status in any job-related communication;
- E. Engaging in threatening, intimidating, or hostile acts, in the workplace, based on a protected group status; or
- F. Displaying or distributing material in the workplace that contains language or derogatory or demeaning images, based on any protected group status.

Any form of harassment or discrimination related to an employee's protected group status violates this policy. This policy applies to all employment practices such as recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, compensation, fringe benefits, working conditions and career development. Violations of this policy will result in appropriate disciplinary action up to and including termination of employment.

- 2. Sexual Harassment: The County prohibits sexual harassment of its employees in any form. Such conduct shall result in appropriate disciplinary action up to and including dismissal from employment.

- A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct, gestures or communication, expressed or implied, of a sexual nature when:
 - (1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
 - (2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or
 - (3) That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating hostile or offensive employment environment.

Policy Against Harassment (cont'd)

B. Prohibited Conduct:

No supervisory employee shall threaten or insinuate either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment, advancement, or any other condition of employment. Similarly, no supervisory employee shall promise or suggest either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment for the employee.

Other sexually harassing conduct in the work place, whether committed by supervisory or non-supervisory personnel is also prohibited. This includes, but shall not be limited to:

- (1) Sexual flirtations, advances, propositions, subtle pressure for sexual activity, flirtatious whistling, discussing sexual activities;
- (2) Verbal abuse of a sexual nature including sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, and foul or obscene language or gestures;
- (3) The display of sexually graphic pictures or pictures of an offensive nature, or object in the work place, including sexually suggestive written material such as letters, notes, facsimiles, text messages and e-mails;
- (4) Any unwelcome sexually motivated touching, including, for example, patting, pinching, hugging, cornering, blocking or impeding movement and repeated brushing against another employee's body.

Sexual harassment also occurs when one person harasses another solely because of the victim's gender. This type of sexual harassment may involve unwelcome sexual demands or overtures, but it may also take the form of other harassing conduct not necessarily sexual in nature. For example, this would include gender stereotyping such as comments about the lesser abilities, capacities, or the "proper role" of females. It also includes subjecting a woman or a man to non-sexual harassment solely because of her or his gender. Sexual harassment is prohibited whether the harasser is male or female, and whether the harassment is opposite sex or same-sex harassment.

Policy Against Harassment (cont'd)

3. Complaint Procedure:

Any employee who feels he or she has been subject to harassment should report the incident directly to the Director of Human Resources. The Director of Human Resources will ask the employee to complete a Harassment Complaint Form. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy.

Alternatively, any employee who feels he or she has been subject to harassment should report the incident directly to the County Administrator or the County's Labor/Litigation Counsel. The County Administrator or the County's Labor/Litigation Counsel will ask the employee to complete a Harassment Complaint Form. Employees, however, are not required to complete the complaint form to initiate a harassment complaint under this policy.

The names and telephone numbers of the Director of Human Resources, County Administrator, and the County's Labor/Litigation Counsel are contained in the Contact Information attached to this policy. The names and telephone numbers of the Director of Human Resources, County Administrator, and the County's Labor/Litigation Counsel are also contained in Salem County's Directory and on its website, www.SalemCountyNJ.gov.

Any individual uncomfortable reporting an incident to the Director of Human Resources, County Administrator, or the County's Labor/Litigation Counsel should feel free to go to any management representative which he or she feels most comfortable to relay the problem. When any management representative learns of a violation of this policy, the management representative shall assist the victim in reporting the alleged incident(s) of harassment. Alternatively, the management representative shall report the matter to the Director of Human Resources, County Administrator, or the County's Labor/Litigation Counsel.

All County employees should notify the alleged harasser that the behavior in question is thought to be offensive and unwelcome. However, failure to inform the alleged harasser that the behavior is unwelcome does not prevent the victim from filing a complaint pursuant to this policy. The harassment or discrimination does not have to occur on County property during regular work hours for an employee to file a complaint under this policy.

Policy Against Harassment (cont'd)

The County strongly encourages employees who witness conduct which they believe violates the County's Policy Against Harassment to report the violation pursuant to this complaint procedure.

The County encourages the prompt reporting of complaints so that rapid response and appropriate action may be taken. Any complaint should be reported within 60 days to be considered current. Nevertheless, due to the sensitive nature of these problems, all complaints will be investigated, regardless of when they are filed.

4. Investigation Procedure:

The County shall conduct an investigation into the harassment complaint to determine the merits of the allegations. The Director of Human Resources, the County Administrator, County's Labor/Litigation Counsel shall designate an objective investigator to determine the validity of any complaint. The objective investigator may include the Director of Human Resources, County Administrator, the County's Labor/Litigation Counsel or any third party deemed appropriate. The investigation shall be completed in a reasonable time to resolve the issue and minimize the effects of such investigation on the parties involved.

The investigation will, at a minimum, include an interview with the employee bringing the complaint and the accused. If the County determines that the complaint has merit, the accused shall face appropriate disciplinary action based upon the severity of the complaint and any prior history of past charges against the individual. Disciplinary action may include a written warning, suspension, demotion, and/or termination of employment. Any disciplinary action shall be consistent with applicable collective bargaining agreements, Department of Personnel regulations and applicable due process safeguards.

Upon completion of the investigation, the entire file shall be maintained in a secure location in the Human Resources Office.

In the event that the County determines the complaint to be intentionally dishonest, appropriate disciplinary action may be taken against the employee who caused the complaint to be filed.

Policy Against Harassment (cont'd)

5. Privacy:

To the extent possible, all persons involved in a harassment complaint will be given the utmost protection of privacy. Specifically, the County will strive, both during and after the investigation, to maintain confidentiality to the fullest extent possible, including confidentiality of the identities of all persons involved or alleged to be involved in the incident, revealing only those particulars of the matter to the extent necessary for a thorough investigation. Any employee who unnecessarily compromises the confidentiality of an investigation will be subject to appropriate discipline.

6. Responsibility of Supervisory Personnel:

Supervisors are to monitor the work environment to ensure that all subordinates comply with this Policy Against Harassment. When a supervisor learns of a violation of this policy, the supervisor shall assist the victim in reporting the alleged incident(s) of harassment. Alternatively, the supervisor shall report the matter to the Director of Human Resources, County Administrator or the County's Labor/Litigation Counsel for resolution.

7. Retaliation Prohibited:

The County encourages victims of harassment to bring their complaints to management by ensuring that no reprisals or retaliation will result from the good faith reporting of harassment. The filing of a complaint, in good faith, shall not, under any circumstances provide cause for discipline. Additionally, it is a violation of this policy for any personnel to retaliate against another because he or she filed a complaint or otherwise participated in the complaint procedure.

Any supervisor who receives a harassment complaint from any employee must bring it to the attention of the Director of Human Resources, County Administrator, or the County's Labor/Litigation Counsel for resolution.

Supervisors shall closely monitor the work environment for any forms of retaliation once an allegation has been made. This will include but not be limited to verbal remarks, irregular assignments or any other activity that may contribute to a hostile work environment.

Policy Against Harassment (cont'd)

8. Legal Effect:

This Policy Against Harassment is to be construed as a unilateral expression of the policy of Salem County concerning harassment in the workplace. It is not intended to create any contractual rights or duties and any such intention or effect is hereby disclaimed. This policy may be amended, supplemented, modified and/or revised at any time.

Any employee with questions regarding the County's Policy Against Harassment should contact the Director of Human Resources, County Administrator or the County's Labor/Litigation Counsel.

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Contact Information

Evern D. Ford
County Administrator
Administration Building
94 Market Street
Salem, New Jersey 08079

Telephone: (856) (856) 935-7510 x8483
E-mail: Evern.Ford@salemcountynj.gov

Michael M. Mulligan, Esq.
Salem County Labor/Litigation Counsel
317 Shell Road
Carneys Point, New Jersey 08069

Telephone: (856) 466-0720
E-mail: MichaelMulligan@comcast.net

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Harassment Complaint Form

Name: _____

Department: _____

Job Title: _____

Supervisor: _____

Union Representative (*if any*): _____

Time Period Covered by Complaint: _____

Individuals Who Allegedly Committed Harassment:

| | Name | Department | Job Title |
|----|-------|------------|-----------|
| 1. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |
| | _____ | _____ | _____ |

Describe the dates and the nature of the harassment allegedly committed by each identified individual:

(Attach Additional Sheets if Necessary)

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Harassment Complaint Form (cont'd)

Identify all employees or others with knowledge of the complained of conduct:

Are there any documents which contain information supporting the occurrences described above?

Is there any physical evidence which supports your complaint? If so, please describe:

(Attach Additional Sheets if Necessary)

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Harassment Complaint Form (cont'd)

Have you missed any work time as a result of the alleged harassment? If "yes", identify the occasions:

Have you incurred any unreimbursed medical expenses as a result of the alleged harassment?

If you previously complained about this or related acts of general harassment to a Salem County supervisor or official, please identify the individual to whom you complained, the date of the complaint, and the resolution of your complaint:

(Attach Additional Sheets if Necessary)

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Harassment Complaint Form (cont'd)

Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

What is your requested remedy in this complaint?

Acknowledgement:

The information provided above is true and correct.

Signature of Complainant: _____ Date: _____

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of the allegations or defenses. Salem County will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action up to and including termination.

I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence Salem County deems relevant.

Signature of Complainant: _____ Date: _____

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Witness Statement Form

Name: _____

Department: _____

Job Title: _____

Union Representative (*if any*): _____

Length of Time Known: Complainant _____ Respondent _____

Individuals Who Allegedly Committed Harassment:

| | Name | Department | Job Title |
|----|-------|------------|-----------|
| 1. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |
| | _____ | _____ | _____ |

Identities of other persons with knowledge of facts relevant to this investigation:

(Attach Additional Sheets if Necessary)

I. GENERAL INFORMATION

EXHIBIT

Policy Against Harassment

Witness Statement Form (cont'd)

Please provide a detailed description of the events you witnessed. Include the date, time, location and individuals present.

Any other information which should be considered in evaluating the validity of the complaint in this case:

Acknowledgment:

I, _____, affirm that the information I have provided is true and correct. I acknowledge that the investigation is confidential and that I am not to disclose information obtained by me during the course of this investigation. I understand that unauthorized disclosures could result in disciplinary action up to and including termination.

Signature of Witness: _____ Date: _____

Policy Prohibiting Workplace Violence

The County has adopted this Zero Tolerance Policy for workplace violence because it recognizes that workplace violence is a growing problem nationally that needs to be addressed by all employers. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the County, its employees or which occur on County property will not be tolerated.

Threats or Acts of Violence Defined

“Threats or acts of violence” include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the County, or to create a hostile, abusive, or intimidating work environment for one or more County employees.

Examples of Workplace Violence

General examples of prohibited workplace violence include, but are not limited to, the following:

All threats or acts of violence occurring on County property, regardless of the relationship between the County and the parties involved in the incident.

All threats or acts of violence not occurring on County property but involving someone who is acting in the capacity of a representative of the County.

All threats and acts of violence not occurring on County property involving an employee of the County if the threats or acts of violence affect the legitimate interest of the County.

Any threats or acts resulting in the conviction of an employee or agent of the County, or of an individual performing services on the County’s behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the County.

Specific Examples of Prohibited Conduct

Specific examples of conduct which may be considered “threats or acts of violence” prohibited under this policy include, but are not limited to:

Hitting, fighting, pushing, or shoving an individual or throwing objects;

Threatening to harm an individual or his/her family, friends, associates, or their property;

Policy Prohibiting Workplace Violence (cont'd)

The intentional destruction or threat of destruction of property owned, operated, or controlled by the County;

Making harassing or threatening telephone calls, letters or other forms of written or electronic communications;

Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the County;

Harassing surveillance, also known as “stalking,” the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety;

Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs;

Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on County property.

While employees of the County may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

Application of Prohibition

The County’s prohibition against threats and acts of violence applies to all persons involved in the County’s operation, including but not limited to County personnel, volunteer, contract and temporary workers, and anyone else on County property. Violation of this policy by any individual on County property, by any individual acting as a representative of the County while not on County property, or any individual acting off of the County property when his or her actions affect the public interest or the County’s business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action up to and including termination.

Warning Signs, Symptoms and Risk Factors

The following are examples of warning signs, symptoms, and risk factors which MAY indicate an employee’s potential for workplace violence:

Policy Prohibiting Workplace Violence (cont'd)

Dropping hints about a knowledge of firearms;

Making intimidating statements like: "You know what happened at the Post Office," "I'll get even," or "You haven't heard the last from me."

Possessing reading material with themes of violence, revenge and harassment;

Physical signs of hard breathing, reddening of complexion, menacing stare, loudness, fast profane speech;

Acting out either verbally or physically;

Disgruntled employee or ex-employee who is excessively bitter;

Being a loner;

Having a romantic obsession with a co-worker who does not share that interest;

History of interpersonal conflict;

Intense anger, lack of empathy;

Domestic problems, unstable/dysfunctional family;

Brooding, depressed strange behavior, "time bomb ready to go off."

Supervisors should be alerted to and aware of these indicators. If an employee exhibits such behavior, the employee should be monitored and such behavior should be documented.

Procedures for Dealing with Acts of Workplace Violence

When a violent act occurs in the workplace:

If a violent act or altercation constitutes an emergency, call 9-1-1. In instances that are not emergency situations, contact your Department Head or the Director of Human Resources.

If possible, separate the parties involved in the violent altercation. If the parties can not be separated, or if it would be too dangerous for the employee to separate the parties, call 9-1-1, and contact your Department Head or the Director of Human Resources.

Policy Prohibiting Workplace Violence (cont'd)

The Department Head will contact the Director of Human Resources, who will take responsibility for coordinating a response to the incident.

In instances that involve criminal situations, the Director of Human Resources will contact the appropriate local police department for assessment, and if necessary, a criminal investigation.

Employee Reporting Obligations and Procedure

Each County employee and every person on County property is encouraged to report incidents or threats or acts of physical violence of which he or she is aware.

In cases where the reporting individual is not a County employee, the report should be made to the local police department.

In cases where the reporting individual is a County employee, the report should be made to the employee's Department Head or the Director of Human Resources. Each Department Head shall promptly refer any such incident to the Director of Human Resources. The County will promptly and thoroughly investigate all reports of threats of (or actual) violence and/or suspicious individuals or activities. Any individual determined to be responsible for conduct in violation of this policy will be subjected to disciplinary action up to and including termination of employment, arrest and prosecution.

Nothing in the policy alters any other reporting obligation established in County policies or in state, federal or other applicable law.

Confidentiality and Retaliation

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort to the extent practicable will be made to protect the safety and identity of anyone who comes forward with concerns about a threat or act of violence.

Questions about Policy

Employees shall refer any questions regarding his or her rights and obligations under the policy to the Director of Human Resources.

Whistle Blower Policy

As a matter of policy, the County abides by all federal, state, and local laws, rules, and regulations applicable to it and to have all its employees do the same. Every employee is responsible for assisting the County to implement this policy.

In the ordinary course, a violation of this policy should be reported to an employee's Department Head in writing, signed by the employee. If that is not practical or if that action is taken but does not prevent or correct the perceived violations, the employee is to deliver a written statement, signed and dated to the Director of Human Resources. The written statement should detail the specific information the employee possesses so that the County may undertake an investigation.

The County or any of its employees will not retaliate against any employee who makes a good faith report pursuant to this policy, even if an investigation reveals that no violation occurred. More specifically, neither the County nor any of its employees will take any retaliatory action or tolerate any reprisal against an employee who:

- Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the County or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
- Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the County or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care;
- Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any government entity;
- Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the County or any governmental entity.
- Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:

Whistle Blower Policy (cont'd)

- (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
- (2) is fraudulent or criminal; or
- (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.

Disclosure to the County first, however, is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergent in nature. The employee must give the County a reasonable opportunity to correct the activity, policy or practice.

It is the County's responsibility to correct or prevent such violations. This is a legal obligation and a practical necessity. A violation can taint the credibility of the County and cause the County and its employees to be subjected to adverse publicity leading to public distrust.

This policy is important to the County. Each employee should seek to resolve any problem within County channels before reporting it to any outside person or entity.

County Communications on Religious and Political Matters

In accordance with the New Jersey Worker Freedom from Employer Intimidation Act, the County does not require any of its employees to attend any County-sponsored meeting or participate in any communications with the County or its representatives, whose purpose is to communicate the County's opinion about religious or political matters. Political matters include political party affiliation and decisions to join or not join or participate in any political, social or community organization or activity. This definition of political matters includes obvious political activities, such as contributing to a political fund or attending a political speech by a candidate. It also includes fund raising and community events, such as the March of Dimes and walk-a-thons. Naturally, employees may voluntarily make fund raising contributions and attend political or community events of their choice, and the County encourages such employee involvement.

County employees are prohibited from requiring, either expressly or implicitly, that a County employee attend meetings on religious, political, social or community matters. The County further prohibits employees from sending communications, such as e-mails and/or flyers, to co-workers asking for them to participate in such activities or fund raising, without including language in that communication that expressly notifies the employees that they may refuse to participate and/or contribute without penalty.

Employees should report violations or suspected violations of this policy to the Director of Human Resources. The County will not discharge, discipline, or in any way penalize an employee who makes a good faith report, verbally or in writing, of a violation or suspected violation of this policy.

Recruitment

All recruiting activities will be conducted in accordance with Equal Employment Opportunity policies, state and federal law and regulations and, for position vacancies under the jurisdiction of the Merit System, in accordance with New Jersey Department of Personnel rules and regulations.

The direct recruitment process will be used for vacancies in positions which include, but are not limited to, exempt positions, emergency appointments, seasonal or temporary appointments or Merit System positions for which there are no lists of eligible candidates.

Application

Each person applying for a position with the County, including part-time, seasonal and temporary employees, must obtain an employment application from the Human Resources Office. Applicants must complete the application and return it to the Human Resources Office before the application deadline. The application shall include employment history, educational background, qualifications and references. Willful misrepresentations, omissions, or falsifications on the employment application will result in the disqualification of the applicant or the dismissal of the employee.

Interviews

The Department Head or his or her designee will schedule interviews with the most qualified applicants, as supplied by the Director of Human Resources, consistent with Department of Personnel Regulations. Interviews shall be conducted by the Department Head (or designee) and a representative of the Department of Human Resources. All persons involved in the interview will have successfully completed training as directed by the Human Resources Department.

Background Checks

The Director of Human Resources or his or her designee will conduct a background check of previous employment, references, criminal history record and/or driving record if required for the position. Law enforcement divisions will assist in the background checks of applicants being considered for a County position. Law enforcement candidates shall be subject to additional background check procedures as mandated for their positions or as set forth by the applicable appointing authority. Law enforcement background checks shall be conducted pre-offer.

Recruitment (cont'd)

Examination

Following the selection of an applicant to fill a vacant position in accordance with Department of Personnel Regulations, and the extending of an offer of employment by the County, the County may require the applicant to undergo a medical examination and/or a psychological examination at the County's expense. Passing the medical examination and/or psychological examination, if required, constitutes a condition of employment. The County will require a pre-employment medical examination and/or psychological examination when all entering employees for the title to whom an offer of employment is made are subjected to such examinations. Applicants will also be required to undergo a pre-employment drug test. The physician/mental health professional's report(s) shall be retained in the employee's confidential personnel medical file.

Commercial Driver's Licenses

Applicants for Roads & Bridges and NJ Transit shall possess Commercial Driver's Licenses prior to their date of hire.

II. RECRUITMENT AND APPOINTMENT

POLICY

Residency Requirement

Procedure

The Director of Human Resources shall be responsible for the enforcement of the County's Residency Requirement and shall use applicable legal standards in determining legal residence, including as set forth in N.J.A.C. 4A:4-2.11.

Application

This policy applies to County Government Employees and County Government Related Employees, and new hires, except (1) where a waiver is granted under the paragraph entitled "Exceptions," below, and (2) Assistant Prosecutors employed by the Prosecutor's Office.

Resident Defined

For the purpose of this section a "resident" is a person permanently domiciled within the County of Salem; a domicile which has not been adopted with the intention of taking up or claiming a previous residence within the County.

Residency Required

Except as otherwise provided by law, all full-time permanent, full-time and part-time officers, and employees of the County of Salem are required, as a condition of their employment, to be residents.

Exceptions

Except as otherwise provided by law, the Appointing Authority is authorized in the exercise of discretion, for good and sufficient cause, to permit any officer or employee of the County to become or remain in the employ of the County without complying with the provisions hereof where:

- (1) The health of any officer or employee necessitates residence outside the County limits; or
- (2) The nature of employment is such as to require residence outside the County; or
- (3) Specialized talent or technique is required such as professional services of engineer, accountant, doctor or lawyer (including Assistant Prosecutors).

Residency Requirement (cont'd)

- (4) Any person employed by the County as of April 6th, 1977 (the effective date of Resolution 77-103, which first established the County's residency requirement), who was at that time, and has remained continuously since then, a non-resident, shall not be subject to the residency requirement.

Resolution 77-103 Continues in Effect

This policy is not intended to substantively alter the Resolution 77-103, which first established the County's residency requirement. In the event of any conflict between this policy and Resolution 77-103, Resolution 77-103 supersedes this policy.

Nepotism

The hiring, promoting, transferring, demoting or reassigning of relatives is prohibited if the employment of such an individual would result in the creation of a prohibited employment relationship.

A prohibited relationship is created when:

1. One relative would have the authority to supervise either directly or from one level above, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the County's interest and their own.

Employees who marry or become related by marriage may continue in their employment if the marriage does not result in the creation of a prohibited relationship. Where the marriage results in the creation of a prohibited relationship, the County will explore potential accommodations including the reassignment of one or both employees to available positions for which the employees are qualified.

Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and first cousins.

Application

This policy applies to all employees hired, promoted, transferred, demoted, or reassigned on or after the date of adoption and to all prohibited relationship created on or after the date of adoption.

Required Disclosure

Prior to employment or appointment all persons shall disclose, in writing, the names of relatives who work for the County or who are elected or appointed County officials on the Applicant Relative Disclosure form. The Applicant Relative Disclosure form shall be maintained in the individual's application folder or personnel folder.

When two County employees marry or a marriage otherwise potentially creates a prohibited relationship, employees must disclose the marriage to the Department Head and the Human

II. RECRUITMENT AND APPOINTMENT

POLICY

Nepotism (cont'd)

Resources Office as soon as practicable, but in no event later than thirty calendar days before the marriage.

An individual's failure to disclose may result in rejection of the employment application or the termination of employment.

II. RECRUITMENT AND APPOINTMENT

EXHIBIT

Nepotism

Applicant Relative Disclosure Form

Name of Applicant: _____

The County of Salem prohibits the hiring of relatives if the employment of such an individual would result in the creation of a prohibited employment relationship. A prohibited relationship is created when:

1. One relative would have the authority to directly supervise, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the County's interest and their own.

Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and cousins.

Do any of your relatives currently work for the County or are any of your relatives an elected or appointed County official?

☐ Yes ☐ No

If you answered "yes" to the previous question, please disclose the name(s) of your relative (s) who work(s) for the County, his or her title, and his or her relationship to you.

Relative #1

Name: _____

Title: _____

Relationship: _____

Relative #2

Name: _____

Title: _____

Relationship: _____

II. RECRUITMENT AND APPOINTMENT

EXHIBIT

Nepotism

Applicant Relative Disclosure Form (cont'd)

Relative #3

Name: _____

Title: _____

Relationship: _____

Relative #4

Name: _____

Title: _____

Relationship: _____

Note: An applicant's failure to fully disclose his or her relationship to a County employee or elected or appointed official may result in the rejection of the employment application or, if employed, the termination of employment.

I acknowledge that I have read and understand the above Disclosure Form and that I have disclosed all relatives who work for the County or serve as elected or appointed officials.

Signature of Applicant: _____ Date: _____

Immigration

In 1986, the Federal Government passed the Immigration Reform and Control Act. This act requires all individuals who accept employment after November 6, 1986, to provide official documented proof of their identity and eligibility to work in the United States.

In accordance with the Immigration Reform and Control Act, all individuals hired by the County are required to provide the necessary documentation to verify their identity and employment eligibility. This requirement applies to all employees, including citizens and nationals of the United States, who are automatically eligible for employment.

The following procedure applies:

New Employee Reports to Work:

- (1) The Human Resources Office informs the new employee of the requirements of the Immigration Reform and Control Act upon acceptance of the position. The County may require applicants to provide documentation of eligibility to work in the United States at any time after an offer of employment has been extended and accepted up to and including the first day of employment. Law enforcement candidates will be required to produce documentation of citizenship as part of the background check.
- (2) The new employee provides the required documents the first day of employment.
- (3) The employee completes Part I (Employee Information and Verification) of the Employment Eligibility Verification (Form I-9).
- (4) The Human Resources Office reviews the documents to confirm the employee's acceptability and completes Part II (Employer Review and Verification) of the Employment Eligibility Verification (Form I-9).

New Employee Does Not Produce Documents:

- (1) If a new employee does not provide the documents on the first day of employment, the County will delay the employee's start date for up to three working days starting with the first day employment should have begun. If the employee does not produce the documents or a receipt for replacement documents, in the case of lost, stolen or destroyed documents, within three business days of the date employment should have begun, the County will withdraw the offer of employment for failure to comply with legal requirements.

Immigration (cont'd)

- (2) If the new hire produces a receipt for replacement documents, he or she must produce the actual documents within ninety (90) days of the date employment begins. If the employee does not produce the actual document within ninety (90) days of the date employment begins, the County will terminate the employee for failure to comply with legal requirements.

Working Test Period

New employees (or employees in a new position) must satisfactorily complete a working test period of three months before acquiring permanent status. (N.J.A.C. § 4A:4-5.2(b)(1)). The working test period does not include any time served as a provisional, temporary or interim appointment. (N.J.A.C. § 4A:4-5.2(a)).

The working test period is designed to permit the County to determine if an employee is able to successfully perform the duties of the position and is part of the examination process. (N.J.A.C. § 4A:4-5.1(a)).

At the end of the working test period, based on two progress reports (two-month and three-month review) of the employee's performance, using an Employee Performance Review form, the Department Head shall recommend to the appointing authority who shall decide whether to grant the employee permanent status or to terminate the employee for unsatisfactory performance. The working test period may not be extended beyond three months. (N.J.A.C. 4A:4-5.2(b)).

Persons appointed to entry level law enforcement titles shall serve a twelve month working test period in accordance with Department of Personnel regulations. (N.J.A.C. 4A:4-5.2(d)).

For entry level law enforcement titles, the County shall prepare a progress report on the employee at the end of the six months and a final report at the conclusion of the working test period. (N.J.A.C. § 4A:4-5.3(b)).

Orientation of New Employees

The County recognizes the importance of fostering a positive attitude in new employees which will enhance their work performance and ease their transition into the work force.

To accomplish this goal, Department Heads or their designee will welcome new employees, introduce them to their fellow employees, and familiarize them with their workplace and unit procedures. The Human Resources Office will review matters of interest to new employees and the Payroll Office will review employee benefits. The Orientation Checklist provides a list of the topics covered by orientation. Orientation will begin on the first day of employment and will finish by the end of the first month of employment.

Each employee will be given a copy this Personnel Policies and Procedures Manual and will be asked to sign an Acknowledgment of Receipt Form that the County will retain in the employee's personnel file.

A follow-up orientation will be conducted by the Department Head or his or her designee.

(See Exhibit - Orientation Checklist)

II. RECRUITMENT AND APPOINTMENT

EXHIBIT

Orientation of New Employees

New Employee Orientation Checklist

Employee Name: _____ Hire Date: _____

Position: _____ Department: _____

Assigned to Right-To-Know/Safety Training Class on _____

| HUMAN RESOURCES OFFICE | |
|--|---|
| <u>SAFETY</u> Right-To-Know Pamphlet (6/97) Safety Guide (11/98) <u>HARASSMENT</u> Policy Against Harassment (10/18/06) Zero Tolerance Policy <u>LEAVE TIME</u> Vacation/Administration/Comp Time Sick Leave Holidays | <u>COUNTY PERSONNEL POLICY MANUAL</u> Distribution and Updates Residency Notice Ethics Hours of Work / E-Time Exit Interview <u>EMPLOYEE ASSISTANCE PROGRAM</u> Eligibility Services Confidentiality |
| IMMIGRATION FORM "I-9" <input type="checkbox"/> EMPLOYEE INFORMATION FORM <input type="checkbox"/> ID BADGE ISSUED <input type="checkbox"/> | |
| <i>My Signature acknowledges that each of the above listed subjects (as appropriate) has been fully explained to me.</i> Signature of Employee: _____ Date: _____ | |
| PAYROLL OFFICE | |
| <u>BENEFITS</u> Medical Insurance / COBRA Dental Plan Prescription Plan Pension Life Insurance <u>COMPLETE FORMS</u> W-4 | <u>PAYROLL INFORMATION</u> Deductions Union Dues/Rep. Fees Flexible Spending Account UNUM Credit Union Direct Deposit Deferred Compensation Plan US Treasury Savings Bonds |
| <i>My Signature acknowledges that I have received necessary information from HR including the CAMPS form.</i> Signature of Payroll Representative: _____ Date: _____ | |
| RIGHT TO KNOW / SAFETY ORIENTATION TRAINING CLASS | |
| Signature of Training Officer: _____ Date: _____ | |

Orientation of New EmployeesContinuation of Group Health Insurance Coverage
for Employees and Dependents****VERY IMPORTANT NOTICE****Introduction

You are receiving this notice because you have recently become covered under a group health plan (the “Plan”). This notice contains important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. This notice generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the Plan when they would otherwise lose their group health coverage. For additional information about your rights and obligations under the Plan and under federal law, you should review the Plan’s Summary Plan Description or contact the Payroll Office.

What is COBRA Continuation Coverage?

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a “qualifying event.” Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a “qualified beneficiary.” You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because either one of the following qualifying events happens:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct.

If you are the spouse of an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because any of the following qualifying events happens:

Orientation of New Employees

Continuation of Group Health Insurance Coverage
for Employees and Dependents (cont'd)

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct;
- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because any of the following qualifying events happens:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child."

When is COBRA Coverage Available?

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Supervisor has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, commencement of a proceeding in bankruptcy with respect to the employer, or the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), the Payroll Office must notify the Plan Supervisor of the qualifying event.

You Must Give Notice of Some Qualifying Events

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Payroll Office within 60 days after the qualifying event occurs. You must provide this notice to the Payroll Office in writing.

Orientation of New EmployeesContinuation of Group Health Insurance Coverage
for Employees and Dependents (cont'd)How is COBRA Coverage Provided?

Once the Payroll Office receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, the employee's becoming entitled to Medicare benefits (under Part A, Part B, or both), your divorce or legal separation, or a dependent child's losing eligibility as a dependent child, COBRA continuation coverage lasts for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee lasts until 36 months after the date of Medicare entitlement. For example, if a covered employee becomes entitled to Medicare 8 months before the date on which his employment terminates, COBRA continuation coverage for his spouse and children can last up to 36 months after the date of Medicare entitlement, which is equal to 28 months after the date of the qualifying event (36 months minus 8 months). Otherwise, when the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage generally lasts for only up to a total of 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

Disability extension of 18-month period of continuation coverage

If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled and you notify the Payroll Office in a timely fashion, you and your entire family may be entitled to receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of continuation coverage. Notification to the Payroll Office must be in writing.

Orientation of New Employees

Continuation of Group Health Insurance Coverage
for Employees and Dependents (cont'd)

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event while receiving 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if notice of the second qualifying event is properly given to the Plan. This extension may be available to the spouse and any dependent children receiving continuation coverage if the employee or former employee dies, becomes entitled to Medicare benefits (under Part A, Part B, or both), or gets divorced or legally separated, or if the dependent child stops being eligible under the Plan as a dependent child, but only if the event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

If You Have Questions

Questions concerning your Plan or your COBRA continuation coverage rights should be addressed to the Payroll Office.

Keep Your Plan Informed of Address Changes

In order to protect your family's rights, you should keep the Payroll Office informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you provide to the Payroll Office.

Plan Contact Information

For information about the plan and COBRA continuation coverage contact:

Salem County Office of Human Resources
Administration Building
94 Market Street
Salem, New Jersey 08079

Telephone: (856) 935-7510 Ext. 8422

II. RECRUITMENT AND APPOINTMENT

POLICY

Regular Reemployment

Permanent employees who resign in good standing, retire or are voluntarily demoted may request that the County consider them for reemployment. (N.J.A.C. § 4A:4-7.10.) Employees should direct their written request to the Human Resources Office.

The County may consider with favor any application for reemployment by a former employee who has resigned in good standing and who has a satisfactory work record during employment with the County. Upon recommendation from the appointing authority, the Department of Personnel will place the employee's name on a reemployment list. Police reemployment lists have unlimited duration. Regular reemployment lists for all other titles have a three year duration from the date of resignation or retirement. (N.J.A.C. § 4A:4-7.10(c)).

Reemployment decisions will comply with any applicable Department of Personnel rules or collective bargaining agreement provisions.

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Transfers

The County may transfer employees temporarily or permanently to another department or agency within the County. For permanent employees, the County will implement permanent transfers with the consent of the employee in accordance with applicable New Jersey Department of Personnel regulations. (N.J.A.C. § 4A: 4-7.1(c)).

If the move results in a change of duties which are inconsistent with the employee's existing title, the position must be appropriately reclassified in accordance with New Jersey Department of Personnel regulations which may necessitate a qualifying or promotional examination. (N.J.A.C. § 4A:4-7.1).

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Promotions

The County may advance employees in job titles according to individual merit and job performance and, where applicable, in accordance with New Jersey Department of Personnel regulations.

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Layoffs and Recall

The County may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives.

Seniority and lateral, demotion or special reemployment rights for employees in Career Service titles will be determined by the New Jersey Department of Personnel. (N.J.A.C. § 4A:8-1.1.)

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Resignation

The County recognizes four types of resignations:

1. Formal Resignation: written notice to the Department Head at least 14 days in advance of the effective date of the resignation. (N.J.A.C. § 4A:2-6.1).
2. Informal Resignation: oral resignation documented by the Department Head and witnessed by a third party at least 14 days in advance of the effective date of the resignation. (N.J.A.C. § 4A:2-6.1).
3. Resignation by Default: an employee who is absent from duty for five or more consecutive working days without approval or notification or fails to return to work for five or more consecutive working days following an approved leave of absence. (N.J.A.C. § 4A:2-6.2). Resignations by default are resignations not in good standing.
4. Resignation Not in Good Standing: an employee who resigns without at least 14 days notice as required by N.J.A.C. § 4A:2-6.1 or an employee who resign by default.

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Disciplinary Action

Disciplinary action, as appropriate, will be taken against any employee found to be in violation of established policies, including, but not limited to, those contained in this Manual.

All disciplinary action shall be based upon total concern for the employee, the employee's relationship with his/her fellow workers, the employee's relationship with his/her supervisor, and the best interest of the County of Salem. Such disciplinary action shall be of a positive, educative and corrective nature, and shall not be used in an abusive or vindictive manner.

Termination for Cause

As a major discipline, the County shall consider termination for cause as the final step in a progressive discipline program, unless unusual or critical circumstances warrant immediate termination.

Reasons for termination for cause may include, but are not limited to:

- incompetency, inefficiency, or failure to perform duties;
- insubordination;
- inability to perform duties;
- chronic or excessive absenteeism or lateness;
- conviction of a crime;
- conduct unbecoming a public employee;
- neglect of duty;
- misuse of public property, including motor vehicles
- discrimination that affects equal employment opportunity (as defined in N.J.A.C. § 4A:7-1.1), including sexual harassment;
- violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and State and local policies issued thereunder;
- other sufficient causes.

N.J.A.C. § 4A:2-2.3.

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Disciplinary Action (cont'd)

Discipline/Removal of Appointed Officials

All unclassified employees and officials of the County of Salem appointed by the Board of Chosen Freeholders shall be subject to disciplinary action including removal, for good cause shown, after notice and an opportunity for a hearing before the Clerk of the Board or other hearing officer appointed by the Freeholder Board for such purpose ("the Hearing Officer"). The Hearing Officer shall have full authority to conduct the hearing and all matters related thereto in accordance with due process. Upon conclusion of the hearing the Hearing Officer shall render a written report and recommendation to the Freeholder Board which may adopt, modify or render its own final decision relating to the matter. "Good Cause" shall include the following:

- violation of the County residency requirements;
- the willful and repeated neglect by the employee to perform duties that he or she is required to perform;
- conviction of any criminal act relating to employment with the County;
- conduct relating to County employment, which, while not necessarily criminal in nature, violates the County's established Policies and Procedures in some substantial manner;
- conviction of a felony;
- failure by the employee to perform his or her duties in a competent and efficient manner;
- failure to comply with directives from superiors; and
- chronic or excessive absenteeism or lateness.

III. CHANGES IN EMPLOYMENT AND
SEPARATION FROM SERVICE

POLICY

Exit Interview

On an employee's last working day, an exit interview shall be conducted by the Director of Human Resources or his or her designee.

Classification/Reclassification

All positions within the career service will be assigned job titles by the New Jersey Department of Personnel which describes the duties and responsibilities performed, the level of supervision exercised and received, and the necessary education and experience qualifications. (N.J.A.C. § 4A:3-3.1).

When the duties and responsibilities of positions change to the extent that the job titles are no longer appropriate, the County will request that such positions be reclassified by the New Jersey Department of Personnel. (N.J.A.C. § 4A:3-3.5).

An appeal for the classification or reclassification of a position is a request for review, or a complaint that the duties of a specific position do not confirm to the approved job specification for the title assigned to that position. (N.J.A.C. § 4A: 3-3.9).

Compensation

The County will generally pay its employees every other week on Thursday, in accordance with the provisions of applicable collective bargaining agreements and in compliance with the Fair Labor Standards Act. Pay periods for all full-time employees are two weeks in length. Unless otherwise specified by collective bargaining agreement, the County pay period begins at 12:00 a.m. on Friday, and ends at 11:59 p.m. on the second Thursday. Paychecks are issued on the third Thursday for the two-week period ending one week prior to payday.

If a pay day falls on an official holiday, paychecks will be issued the preceding workday, however, no paychecks will be released early when this occurs.

No paychecks may be issued in advance of the normal payday, except that paychecks may be released after 3:00 p.m. on the day prior to payday, if approved by the Department Head and HR/Payroll Department for special reasons, such as an upcoming vacation.

Employees must cash their paychecks on personal time, not during official County working hours.

Compensation for all employees will be in concert with the recognized bargaining agents of the employees subject to the review of the New Jersey Department of Personnel.

All phases of the compensation plan will be administered according to the terms of the appropriate negotiated agreement and will be in compliance with N.J.S.A. § 34:11-4.2 and N.J.A.C. § 4A:3-4.1.

Employees are not entitled to retro-active pay increases if an employee separates employment, voluntarily or involuntarily, from the employ of the County prior to the retroactive payment, unless otherwise stated in the applicable collective bargaining agreement.

Out of Title Pay for Non-Union Employees

When a union or non-union employee assumes a non-union or management position on a temporary basis, that employee will receive compensation at the minimum of the pay range for that title up to a maximum of \$3.00 per hour for all time actually worked in the title. This provision will be triggered after 14 consecutive days or 14 aggregate days in any one calendar year. A PAR must be completed and approved prior to this taking affect and the non-union/management position must be considered essential for the daily operation and continuity of County business.

IV. CLASSIFICATION AND COMPENSATION

POLICY

Compensation (cont'd)

Non-Union Employees Hired Under Salary Provisions of Grant

Employees hired under salary provisions of grants are not eligible for salary increases or benefits not covered or provided for by the grant.

Direct Deposit

Direct deposit is available to full time and eligible part-time* employees whose pay period ends the Thursday of the week prior to payday. Direct deposit must be authorized in advance in writing by the employee.

Corrections to under payments on paychecks paid by direct deposit may be made by manual check. If a correction is required to an employee's wages paid by direct deposit, the County may not make an additional direct deposit to correct the error. The Payroll Office will notify the employee of the manner of payment.

Corrections to overpayments on direct deposit if caught in time may be reversed and a corrected manual check will be issued in its place.

*Eligible part-time employees must be on a set schedule; per diem employees are not eligible for direct deposit.

Flexible Work Schedule

The flex time program allows full-time, non-union employees and full-time employees within the CWA bargaining unit, not working in 24 hour operations, the County Court House or the Public Works or Transportation Departments, a measure of choice in determining their working hours.

1. It is up to the Department Head to decide whether a department will choose to participate in the flex time program. A flexible work schedule will not be approved unless the following conditions are met:
 - a. An employee's modified schedule must meet the approval of the immediate supervisor and the Department Head.
 - b. The change must not be detrimental to the overall efficient operation of the Department.
 - c. The employee's work performance must not decrease or be impaired by the schedule change.
 - d. Requests for a flexible work schedule will be granted based upon seniority.
2. All employees must be scheduled to work during the core time hours of 10:00 am to 3:00 pm, with office coverage during the County's business hours of 8:30 am to 4:30 pm, Monday through Friday.
3. Flex time arrival must be scheduled between 7:00 am and 10:00 am; flex time departure must be scheduled between 3:00 pm and 6:00 pm.
4. An employee may submit a Flexible Work Schedule Request form to his or her Department Head for a flex time schedule.
5. An employee who chooses to work a flex time schedule must work the same hours on each scheduled work day and must work the modified schedule on a full-time basis with the following exceptions:
 - An employee will be allowed to make changes to his or her work schedule three times a year, during the new pay period immediately following January 1st, June 1st and September 1st, subject to the approval of the Department Head and immediate supervisor.
 - The Department Head may choose to end the department's participation in the flex time program during any of the opt-out periods listed above. Employees must

Flexible Work Schedule (cont'd)

be notified, in writing, of the decision to end the flex time program two weeks prior to the opt-in/out period.

- An employee may change his or her work schedule outside of the opt-in periods only if exceptional circumstances arise that necessitate a change in scheduled hours. "Exceptional circumstances" will be evaluated on a case-by-case basis by the Department Head and immediate supervisor in conjunction with the Director of Human Resources.

The Department Head can require a specific schedule or modify an existing schedule when the work situation demands it, i.e. to ensure proper office coverage or to allow employees to attend meetings that lie outside on an employee's work hours as long as the employee is given two business-day notice in writing and the modified hours are during the 8:30 am – 4:30 pm County work day. A copy of the written notice must be forwarded to the Human Resources Office.

IV. CLASSIFICATION AND COMPENSATION

EXHIBIT

Flexible Work Schedule

Flexible Work Schedule
Request Form

The flex time program allows full-time employees within the CWA bargaining unit, not working in 24 hour operations or the County Court House, a measure of choice in determining their working hours.

Employee Name: _____ Department: _____

Flexible Schedule:

Arrival Time

- ☐ 7:00 am
- ☐ 7:30 am
- ☐ 8:00 am
- ☐ 8:30 am
- ☐ 9:00 am
- ☐ 9:30 am
- ☐ 10:00 am

Departure Time

- ☐ 3:00 pm
- ☐ 3:30 pm
- ☐ 4:00 pm
- ☐ 4:30 pm
- ☐ 5:00 pm
- ☐ 5:30 pm
- ☐ 6:00 pm

I understand that, if approved, I will be obligated to work the schedule chosen above on a full-time basis. Except in the case of an emergency, I will be notified in writing by my Department Head or immediate supervisor at least 2 business days in advance if a work situation demands a change in this schedule. It is also understood that I do not have to agree to work a modified schedule and I can resume my regular schedule if my flex-time schedule is modified or discontinued.

Signature of Employee: _____ Date: _____

Approval:

The proposed schedule is:

☐ Approved as requested

Effective Date: _____

☐ Approved as modified:

Arrival time: _____

Departure Time: _____

☐ Denied

Signature of Supervisor: _____ Date: _____

Signature of Department Head: _____ Date: _____

For Payroll Use Only

Updated in E-Time: _____ By: _____

Payroll Deductions

Mandatory deductions from paychecks will include the following:

- Federal Income Tax
- State Withholding Tax
- Social Security (FICA)
- Unemployment Compensation Insurance
- Temporary Disability Insurance
- Pension Deductions
- Pension Loan Repayments (if applicable)
- Pension Back Payments (if applicable)
- Court-ordered Wage Garnishments (if applicable)
- Union Dues/Representation Fees (if applicable)

Employee-authorized deductions may include (but are not limited to) :

- PERS Contributory Insurance (mandatory for the first year of enrollment in the Pension system)
- Deferred Compensation/Supplemental Annuity
 - Health Insurance Benefits, if applicable
 - Employer-Provided Disability Benefits

Timekeeping

Timekeeping for Non-Exempt (Non-Salaried) Employees

Accurately recording time worked is the responsibility of every nonexempt employee. The law requires the County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons.

Falsifying or tampering with any employees' time records, including the employee's own time records, or recording time on another employee's time record will result in disciplinary action, up to and including termination of employment.

Nonexempt employees should report to work no more than seven minutes prior to their scheduled starting time nor stay more than seven minutes after their scheduled stop time without expressed, prior written authorization from their Department Head.

The Department Head will review and then electronically approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initialing the time record.

The above is a general statement which applies in all departments. Special rules for individual departments may be promulgated which add, but shall not detract from the above.

This section will be supplemented with additional policies as a result of the implementation of the E-time system.

Timekeeping for Exempt (Salaried Employees)

Exempt employees shall accurately record the time they begin and end their work in the E-time system.

It is the policy of the County that exempt employees' pay will not be "docked", or subject to deductions, in violation of salary pay rules issued by the U.S. Department of Labor and any corresponding rules issued by the State of New Jersey, as applicable; however the County may make deductions from exempt employees' salaries in a way that is permitted under Federal and

Timekeeping (cont'd)

State wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined under applicable laws and regulations.

The work of employees in exempt positions is not measured solely by the hours worked. Employees in exempt positions are expected to work the hours necessary to complete assignments on a schedule that satisfies the requirements of the job while maintaining regular office hours in accordance with the County's and/or department's hours of operation. A full-time commitment typically requires a minimum of 1820 hours per year. If an employee has not worked the minimum hours by December 31, they will be required to utilize available sick, vacation, or administrative leave time. If an employee is no longer employed with the County of Salem before December 31, then the amount of deducted leave time will be prorated. In the event no such time is available, exempt employees may be required to make up lost time due to personal absences. Failure to comply with these requirements shall not result in an exempt employee's salary to be docked, but may result in disciplinary action up to and including termination.

Exempt employees may be subject to salary deductions, to the extent permitted by applicable laws and regulations, for the following reasons: suspensions for violations of safety rules of major significance; suspensions of one or more full days for violations of workplace conduct rules, such as rules against harassment and workplace violence; and unpaid leave taken under the Family and Medical Leave Act.

Overtime

Overtime work shall be kept to a minimum, and must be approved in writing in advance by the Department Head or his or her designee.

Nonexempt employees are eligible for overtime compensation equal to one and one-half times the employees' regular rate of pay or in accordance with contract provisions for employees that belong to recognized bargaining units. Unless otherwise provided by collective bargaining agreement, the hourly rate shall be computed by dividing the annual rate of pay of the employee by the number of hours worked per year. For example, employees who work a 35 hour per week schedule work 1820 per year. Employees who work a 40 hour per week schedule work 2080 hours per year.

Unless otherwise provided by collective bargaining agreement, employees who regularly work less than forty hours per week shall receive straight time for all hours worked over their regular work week up to forty hours in a work week. For example, an employee who regularly works thirty-five hours per week will receive straight time compensation for all hours worked over thirty-five hours in a work week up to forty hours in a work week.

Employees will be paid at one and one-half times their regular hourly rate for the following work:

Time worked in excess of 40 hours during the calendar week. For purposes of this subsection, all paid sick and holiday leave, as well as all paid or unpaid union leave will count as time worked. Vacation leave, administrative leave, and bereavement leave does not count as time worked.

Any time actually worked on a Sunday.

Work actually performed on the employee's normally scheduled day off (full-time employees only).

Work actually performed on an official holiday.

Time actually worked in excess of eight hours in a work day, unless part of a regular shift which exceeds eight hours in length.

Time actually worked in excess of twelve (12) hours in a work day (for employees who work 12-hour shifts).

Overtime (cont'd)

Employees will be paid at double their regular hourly rate for the following work:

The seventh consecutive day actually worked (or, in the case of employees who work 12-hour shifts, the fifth consecutive day actually worked), provided that each day is the equivalent of a full shift.

Any work actually performed on a holiday which falls on a Sunday, as well as any time worked on a holiday which is in excess of a regular full-time shift for the employee.

There is no pyramiding of premium rates.

Unless otherwise provided by collective bargaining agreement, in computing overtime compensation, the nearest one quarter hour shall be the smallest fraction of an hour to be counted. The following rounding rules shall apply:

| <u>Minutes Worked</u> | <u>Round To</u> |
|-----------------------|-----------------|
| 0 - 7 | 0 minutes |
| 8 - 22 | 15 minutes |
| 23 - 37 | 30 minutes |

Overtime hours worked shall be reported on regular daily time reports. Supporting reasons for all overtime work shall be noted on the time sheets.

Part-time employees, which do not include seasonal or temporary employees, are not eligible to work overtime, and are therefore not eligible for overtime pay. Part-time employees who work more than forty-hours in one week or who work more than eight hours in one day are eligible for overtime compensation in accordance with applicable law and/or collective bargaining agreement.

Exempt employees are not eligible for overtime, unless otherwise provided by collective bargaining agreement.

Compensatory Time for Non-Exempt Employees

Nonexempt employees have the option of taking overtime compensation as compensatory time. Compensatory time, like overtime, accrues at the rate of one-half times the hours worked or in accordance with contract provisions for employees that belong to recognized bargaining units.

Overtime (cont'd)

Employees may accrue up to 80 hours (53 hours, 20 minutes at time and one-half) of compensatory time.

Employees who elect to receive compensatory time instead of overtime compensation must indicate their preference on their time sheets before the work is performed. If after 12 months from the date that compensatory time is actually earned, an employee cannot schedule the use of compensatory time with the employee's Department Head solely due to a managerial decision, then the County will pay the employee in overtime compensation for that compensatory time.

Employees who provide less than forty-eight (48) hours advance notice, except in the case of an emergency, of their desire to use compensatory time may have their request denied by the Department Head if the use of compensatory time will unduly disrupt the operations of the County.

The County will compensate employees for accrued compensatory time off at the regular rate earned by the employee at the time the employee receives payment. The County reserves its right to require employees to use accrued compensatory time. The County also reserves its right to pay employees at the regular rate earned by the employee at the time the employee receives payment for their accrued but unused compensatory time at any time.

Upon termination of employment, the County will compensate an employee for accrued but unused compensatory time at a rate of compensation not less than (1) the average regular rate received by the employee during the last three years of the employee's employment, or (2) the final regular rate received by the employee, whichever is higher.

Compensatory Time for Exempt Employees

Effective July 1, 2008 exempt employees shall no longer receive compensatory time for hours worked in excess of the regularly scheduled work day. Any accrued compensatory time earned by an exempt employee prior to July 1, 2008 in accordance with previous policies shall be converted over to vacation time. In no event will converted time be eligible for cash out purposes.

Unionized Employees

Overtime and compensatory time for unionized employees will be provided in accordance with the provisions of the applicable collective bargaining agreement.

Medical Benefits

PLEASE NOTE: FULL DETAILS OF EMPLOYEE'S HEALTH, MEDICAL AND HOSPITALIZATION PLANS CAN BE FOUND IN THE OFFICIAL INSURANCE PLAN DOCUMENTS. IF THERE IS ANY CONFLICT OR INCONSISTENCY BETWEEN THE INFORMATION IN THE POLICY AND PROCEDURES MANUAL AND THE OFFICIAL DOCUMENTS, THE OFFICIAL DOCUMENTS WILL GOVERN. THE COUNTY RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE OR CHANGE ANY OR ALL SUCH PLANS, IN WHOLE OR IN PART, AT ANY TIME WITH OR WITHOUT NOTICE IN ACCORDANCE WITH APPLICABLE LAW. THE COUNTY ALSO RESERVES THE RIGHT TO CHANGE INSURANCE CARRIERS IN ACCORDANCE WITH APPLICABLE LAW.

Part-time and full-time temporary or seasonal employees are not entitled to medical insurance benefits.

Failure to complete all necessary paperwork in accordance with the time frames advised by the Department of HR/Payroll will result in a delay of coverage. Additionally, failure to enroll dependents or to make other changes or corrections in coverage may jeopardize available benefits. All employees must notify the Department of HR/Payroll of any change in status (i.e., marriage, divorce, birth, adoption, death) that would affect any employer-provided health insurance. All employees must notify the Department of HR/Payroll of any change in status within the time frame designed by the health benefit plan that would affect any employer provided health insurance.

Dependent Defined

The County defines "dependents" as used in this policy as it is defined under the State Health Benefit Plan. Dependents means an employee's spouse and the employee's unmarried children under the age of 23 years who live with the employee in a regular parent-child relationship. "Children" includes stepchildren, legally adopted children and foster children provided that they are reported for coverage and are wholly dependent upon the employee for support and maintenance. N.J.S.A. § 52:14-17.26. A spouse or child enlisting or inducted into military service shall not be considered a dependent during the military service. The term "dependents" does not include spouses of retired persons who are otherwise eligible for benefits under the State Health Benefits Plan (N.J.S.A. § 52:14-17.25 et seq.) but who, although they meet the age eligibility requirement of Medicare, are not covered by the complete federal program.

Medical/Hospitalization Coverage

The County provides major medical and hospitalization insurance for the employee. The County may provide major medical and hospitalization coverage for the employee's eligible dependents.

Medical Benefits (cont'd)

Unionized employees receive major medical and hospitalization insurance in accordance with applicable collective bargaining agreements.

Full-time employees and, if applicable, their eligible dependents become eligible to participate in the County's major medical and hospitalization insurance plans in accordance with current health plan documents.

Payments of such premiums by the County will terminate upon the employee's separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Prescription Drug Coverage

The County provides prescription drug insurance for the employee. The County may provide prescription drug coverage for the employee's eligible dependents. Unionized employees receive prescription drug coverage in accordance with applicable collective bargaining agreements.

Employees will be responsible to pay a co-pay on prescriptions. The co-pay on prescriptions for unionized employees will be in accordance with the provision of the applicable collective bargaining agreement.

Full-time employees and their eligible dependents become eligible to participate in the County's prescription insurance plan in accordance with current plan documents.

Payments of such premiums by the County will terminate upon the employee's separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Dental Coverage

Full-time employees and, if applicable, their eligible dependents become eligible to participate in the County's dental plan in accordance with current plan documents.

All full-time employees, and, if applicable, their eligible dependents, shall be eligible for enrollment in to the County's dental plan in accordance with the specific requirements of the insurance plan carried by the County.

Medical Benefits (cont'd)

The County provides dental insurance for the employee. Unionized employees receive dental coverage in accordance with applicable collective bargaining agreements. The County may provide dental coverage for the employee's eligible dependents. Payments of such premiums by the County will terminate upon the employee's separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

Section 125 Flexible Spending Benefit Plan

The County of Salem has adopted a Plan that complies with Section 125 of the Internal Revenue Code of 1986 in regards to its "cafeteria plan". The purpose of the plan is to allow employees of the County of Salem to opt-out of their medical benefits provided by the County for cash compensation if he/she can prove that dependent coverage is not part of State Health Benefits Plan (SHBP) or the State Educators Employee benefits Plan (SEHBP). This plan became effective January 1, 2009.

Eligible employees must be a regular full-time County employee to participate. New employees are eligible to participate when they are eligible for health insurance. An employee will become a participant on the later of (a) the effective date or (b) the first day of the month following the date he/she becomes eligible to participate under the preceding sentence.

A participant will cease to be a participant as of the earlier of (a) the date on which the plan terminates or (b) the date on which he/she ceases to be an employee.

Retiree Health Insurance

The County provides post-retirement medical health insurance benefits and prescription benefits, provided the employee qualifies for and has retired through the New Jersey Division of Pensions and Benefits under the Police and Fireman's Retirement System ("PFRS") or the Public Employees Retirement System ("PERS") and meets at least one of the following requirements:

- (a) Retirement on a disability pension; or
- (b) Retirement with 25 years or more of service credit in a state or locally-administered retirement system and at least 15 years of service with the County of Salem; or
- (c) Retirement at age 62 or older with at least 15 years of service with the County of Salem; or

Medical Benefits (cont'd)

- (d) Retirement with 25 years or more of service credit in a state or locally-administered retirement system, provided the retiring employee was employed by Salem County as of August 1, 1991.

The County reserves its right to change eligibility requirements for retiree health benefits at any time in accordance with legal requirements.

Continuation Coverage

An employee and his/her family, if covered by the County's group health care package, shall have the right to temporarily continue their coverage due under the plan, paying the group rate themselves, should they lose coverage due to the death of the enrolled employee or termination for reasons other than gross misconduct on the employee's part. For additional information, see COBRA Policy in this Manual and contact the Department of HR/Payroll.

Unionized Employees

Health insurance, prescription benefits, dental benefits and optical coverage for employees that are represented by unions shall be in accordance with insurance provisions incorporated in their collective bargaining agreements.

HIPAA Compliance

The County is committed to upholding both the letter and the spirit of the Health Insurance Portability and Accountability Act regarding the use, maintenance, transfer, and disposition of personal health care information. To the extent that the County maintains such information about its employees and others, its elected officials and employees are committed to protecting the privacy and confidentiality of that information.

Group Life Insurance

Most employees who are members of the Public Employees' Retirement System of New Jersey or the Police and Firemen's Retirement System are automatically enrolled in the Group Life Insurance provided under the New Jersey State Pension Plan.

Pension Plan

As a condition of employment, all full-time law enforcement personnel are enrolled in the Police and Firemen's Retirement System of New Jersey ("PFRS") and all other full-time and permanent part-time employees are enrolled in the Public Employees' Retirement System of New Jersey ("PERS") or the Defined Contribution Retirement Program ("DCRP"). All rules and regulations pertaining to retirement as it applies to these plans are explained in detail in the latest edition of the appropriate New Jersey Public Employee Retirement System Member Handbook.

Employees may obtain a copy of the appropriate handbook from the Human Resources Office or the State of New Jersey Division of Pensions and Benefits. Employees covered under PFRS, PERS, or DCRP shall be governed by the requirements and provisions of the system relating to the retirement benefits. The eligibility status of any employee is according to regulations promulgated by the State of New Jersey Division of Pensions and Benefits.

PFRS, PERS, or DCRP provides employees with:

A guaranteed retirement income for life based on an employee's total years of service in the system and the employee's average salary as determined by the Public Employees' retirement system;

Financial protection in case of disability or death;

Benefits in addition to federal Social Security coverage.

Membership in the Retirement System is compulsory when the employee achieves permanent status or continuous service for one full year. The employee's rate of financial contribution is determined by the State of New Jersey. The employer's contribution is also determined annually by the State of New Jersey.

Procedure

Employees who plan to retire should notify the Human Resources Office and their Department Head of their intent to do so as soon as possible, at least six (6) months before the anticipated retirement date, to ensure sufficient time to prepare, file and process the necessary paperwork. Employees should apply to PFRS or PERS for pension benefits and information at least three (3) months prior to planned retirement to assure that all necessary paperwork from the State is processed in a timely manner.

Eligible employees will receive retiree health benefits as offered by the County.

Pension Plan (cont'd)

Any earned time not paid for the year during which employment ceases shall be pro-rated to the last day of employment. Upon retirement, non-exempt employees will receive payment for accrued but unused compensatory time. Additionally, employees who retire on a pension through the New Jersey Division of Pensions and Benefits will receive severance pay for one-half of their accrued but unused sick leave at the date of retirement. The severance pay value will be calculated based on the employee's current rate of pay or as provided by the applicable collective bargaining agreement. In no case shall the severance pay exceed fifteen-thousand dollars (\$15,000.00).

Employees are entitled to retroactive pay increases if the employee retires from the employ of the County prior to the retroactive payment. Employees who have left County employment for reasons other than retirement are not entitled to retroactive payments.

All forms and additional information are available from the Human Resources Office.

Workers Compensation

The County provides all employees with workers compensation insurance, as required by law, at no cost to the employee. N.J.S.A. § 34:15-12. Workers' compensation covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Purpose

The purpose of this policy is to outline Workers' Compensation requirements for the County of Salem and to establish procedures for the reporting of employee work-related accidents and illnesses and to establish procedures for the treatment of such work-related accidents and illnesses.

Policy

Due to the complexity of the New Jersey Workers' Compensation Statutes and the regulations pertaining to them, and in view of the immensity of the cost of claims, it is imperative that an effective Workers' Compensation claim reporting, control, treatment, and follow-up system be enacted and enforced as County policy.

Policy Objectives

1. The prompt and thorough reporting of every employee work-related accident or illness. The failure to report within the statutory provisions may result in a claim being denied. Additionally, failure to report in a timely manner may result in a delay or denial of benefits.
2. The prompt and equitable payment of Workers' Compensation benefits on approved Workers' Compensation claims.
3. The objective and careful consideration of each claim based upon the reported facts of each individual case.
4. The reduction of the number of lost time cases.
5. The early return to employment through the provision of focused, appropriate rehabilitation services for disabled employees and through efficient claim follow-up.

Workers Compensation (cont'd)

6. The timely and thorough investigation of reported claims and the development of sufficient evidence and materials to determine the level of Workers' Compensation benefits.
7. The development of claims adjustments that are equitable to the County of Salem and to its employees.

Employee Procedures

1. An employee having a job-related accident must immediately report such accident to their supervisor. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. The failure to report the injury in a timely manner may result in the delay or denial of benefits.
2. The employee shall be required to complete and sign Part 1 of the Incident/Accident/Illness Reporting and Investigation Policy Form and to submit the form to the supervisor or their designee before the end of their working shift. In the event of an accident and/or illness, the supervisor will immediately fax the form to (856) 935-6137, contact his or her Department Head and, in the event of hospitalization or fatality, call the Human Resources Office at (856) 935-7510 x8640.
3. The Department Head will complete and sign Part 2 and Part 3 of the Incident/Accident/Illness Reporting and Investigation Policy Form and forward the completed form to the Human Resources Office.
4. If the severity of the injury necessitates immediate emergency medical attention, the employee shall immediately, and prior to leaving the work site, notify his or her supervisor of the severity of their injury, and then be sent to the office of the nearest approved panel physician or hospital. If, due to the severity of the injury, the employee is unable to complete and sign the required Workers Compensation form, the employee shall, at the first opportunity, but in no case more than forty-eight (48) hours after receiving emergency medical attention, complete and sign the forms and submit them to his or her supervisor.
5. Any employee who seeks his or her own medical treatment outside of the County authorized medical service providers, shall be responsible for paying for such unauthorized treatment. The cost for any unauthorized treatment shall be denied by the County.

Workers Compensation (cont'd)

6. Any time out of work accrued by the employee while under the care of any unauthorized physician and/or medical services provider shall not be considered eligible for Workers' Compensation benefits.
7. Three missed and/or cancelled appointments with authorized Workers' Compensation physicians, including physical therapy treatments, may be cause for termination of the Workers' Compensation claim.
8. Any doctor's or physical therapy appointments may be scheduled during the work day. In such cases the employee must consult with his or her Department Head in order to minimize any disruption of County operations. The employee is authorized to be absent only to the extent necessary to attend the appointment and is expected to report to work before and/or after the appointment whenever feasible. Any additional lost time will be charged to sick and/or vacation leave if available. In the event physical therapy is recommended, please notify the Human Resources Office to insure that the choice of provider does not cause unnecessary inconvenience.

Medication and Medical Treatment

1. All authorized medical treatment statements, including receipts for authorized medication charges incurred due to a Workers' Compensation claim, shall be promptly submitted by the employee to the Human Resources Office.
2. Therapeutic treatment services and the purchase of therapeutic devices must be authorized by the third party administrator (TPA) prior to receiving such treatment or the purchase of such devices.
3. An employee scheduled to be admitted to any hospital by an authorized treating physician due to an on the job accident must immediately report this information to their supervisor and to the Human Resources Office.
4. The County of Salem has entered into a Workers Compensation Prescription Program with a pharmacy care provider effective June 15, 2005.
5. The authorized panel physician will issue a Workers Compensation Prescription Card along with any prescriptions to the injured employee. The employee is to take the card along with the prescriptions to the pharmacy of their choice at which time the prescriptions will be filled at no out of pocket expense to the employee. This prescription card is to be used for workers compensation prescriptions only. Once the employee has

Workers Compensation (cont'd)

reached maximum medical improvement and has been discharged from the authorized panel physicians care the pharmacy care provider will be notified and the prescription card will be voided.

Compensation While Awaiting Determination

If an employee has had an injury on the job, all parties must complete the required paperwork. The third party administrator for the Workers Compensation Policy must rule that the injury is compensable under Workers Compensation regulations and guidelines before an employee is paid workers' compensation wages. Until the injury is ruled compensable, the employee must use his or her accumulated sick, vacation and/or administrative time. Paycheck corrections will not occur for workers' compensation wages without a ruling of compensability from the third party administrator. Paycheck corrections for workers' compensation wages will not occur between normally scheduled paydays.

Compensation While on Workers' Compensation

Any salary or wages paid to an employee while on workers' compensation leave will be reduced by the amount of any workers compensation award for the same injury or illness.

An employee who is absent because of a work-related disability or injury will not have such absence charged against sick leave, except as otherwise provided by this policy.

Workers Compensation Temporary Disability Benefits (TTD) are paid based on 70% of the employee's average weekly wages at the time of injury, subject to the maximum rate allowed by statute. Additional taxable earnings may be paid according to the applicable union contract. Employees who qualify for workers' compensation will receive payment of such amount so that the payment from the County made together with the Workers' Compensation payments will equal 70% of the employee's regular base salary for a maximum of 12 months, unless otherwise provided by collective bargaining agreement. Payments shall not exceed one (1) year from the date of disability or injury.

Benefits

While an employee is collecting workers compensation, the following benefits will continue:

- Medical;
- Pension--The employee contribution will be deducted from his/her supplemental wages so long as the employee remains eligible for supplemental wages;
- Non-contributory life insurance;

Workers Compensation (cont'd)

- Contributory life insurance (PERS only)--The employee contribution will be deducted from his/her wages.

Note: The employee's workers compensation check received from the insurance company will be sent directly to the Human Resources Office.

Return to Work

1. In the event of an absence of more than seven (7) work days from regular duties due to a job related accident or illness, an employee must obtain a return to work notice from his or her treating Workers' Compensation physician indicating when the employee may return to regular duties unless the employee is entitled to a reasonable accommodation. See Americans With Disabilities Policy.
2. An employee with lost time due to a job-related accident must, upon return to work, be able to perform their regular duties in accordance with their job specification.
3. In cases where an employee is released by their treating Workers' Compensation physician to return to work but cannot perform their regular duties, the Human Resources Office may recommend that the employee be assigned to temporary alternate duty and/or that the employee attends occupational training sessions as scheduled and conducted by the County of Salem.

Recurrence of Lost Time

In the event an employee, sustaining an injury which results in lost time, is returned to work by a treating Workers' Compensation physician and is unable to perform his or her duties, and reports out of work again under a treating physician's authorization, the supervisor and the Human Resources Office must be notified by the employee filing all new claim reports.

Otherwise, sick, administrative or vacation time will be charged to the employee. If accrued sick, administrative and vacation time has been expended, then the County reserves the right to make the necessary payroll deductions. All absences must be evidenced by a certificate from an authorized physician.

Seniority

An employee's prolonged absence from work because of job related injury or disability will not affect the employee's seniority for the purposes of lay-offs provided that the employee has applied for and has been granted a leave of absence as provided in this Manual. Additionally, the

Workers Compensation (cont'd)

injured or disabled employee's anniversary date shall not be changed due to absences caused by job related injury or disability.

Excluded Activities

Except as provided by law, the County will not be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the County.

EXHIBIT

Workers Compensation

Incident/Accident/Illness Reporting and Investigation Policy Form

REPORT FORM – PART 1

Electrical incidents, water leaks, bodily fluids: Report immediately to Facilities Management Office
856-935-7510 x8223. If no response: cell 856-466-1428, cell 856-207-8795

| Employee: complete part 1 and provide to your Supervisor IMMEDIATELY | | |
|--|-----------------|--|
| <p>Supervisor: Incident? <u>No</u> first aid or higher treatment, <u>no</u> property damage, <u>no</u> public involvement. Circle "incident" and forward completed part 1 to Department Head.</p> | <p>O R</p> | <p>Supervisor: Accident/illness? Circle <u>yes</u> event. Upon safely securing scene, IMMEDIATELY fax completed Part 1 to 856-935-9036, contact Department Head and (after regular business hours) call Human Resources Office at 856-935-7510 x8640. Notify respective Freeholder Chairperson.</p> |

Section A: PERSONAL and EVENT DETAILS (Circle or complete responses)

| | | | |
|---|-------------------|--|-----------------|
| Title: | Last Name: | First Name: | |
| Date of Birth: | | Are you: Employee Public visitor | |
| Sex: M/F | County Department | | Employee ID No: |
| Home address: | | | |
| Email address: | | Phone: (w) | Phone: (h) |
| Date and time of event: | | Location: | |
| What was the event and how did it happen? | | | |
| | | | |
| | | | |
| Witness Name(s), address, telephone: | | | |
| Signed (employee, public visitor): | | Date: | |
| Signed (Supervisor): | | Date: | |

Section B: INJURY/ILLNESS DETAILS (If applicable) Use this section to also report workplace disease

| | |
|---|--|
| Type of injury or disease (EG burn): | Part(s) of the body affected: |
| Needle stick injury/sharps injury/exposure to body fluid: Contact details of source patient (if applicable): | |
| Name: | Address: Phone: |
| Date and time when symptoms noticed: | |
| Was medical treatment given? | No / First Aid / Nurse / Doctor / Hospital |
| Name of person giving initial treatment: | |
| Date and time initial treatment given: | |
| If a County employee, does the injured person intend to lodge a claim for workers' compensation? Yes / No / Unknown | |
| If a County employee, will time be lost as a result of this injury? Yes / No | How many hours/days? |
| If a public visitor or, does injured person intend to lodge a claim? Yes / No / Unknown | |

Workers CompensationIncident/Accident/Illness Reporting and
Investigation Policy Form (cont'd)

INVESTIGATION CHECKLIST – PART 2

Department Heads are required to investigate all incidents/injuries to conclude what happened, how it happened, why it happened, and what should be done to prevent further occurrences. Department Heads may request through their respective Freeholder Committee specific assistance from trained investigators and inspectors.

PART 2 Instructions: Department Heads Complete Part 2 within 5 WORKING DAYS of event and forward to Human Resources Office and Safety Committee Chairperson.

Who is involved in completing this investigation?

| | |
|------------------|------------------------|
| Department Head: | Department Supervisor: |
| Assisting: | Assisting: |
| Assisting: | Assisting: |

Section 1: INVESTIGATION CHECKLIST: (Questions to ask the person involved with the incident. Modify the “you” in the questions for use by witnesses).

Event/Injury: How do you think the event / injury happened and what were you doing at the time?

How long had you been working prior to the event / injury? _____

How long had you been working on this task? _____

Is this task part of your normal duties? ☐ Yes ☐ No

Have you been instructed / trained in this task? ☐ Yes ☐ No

What were you doing prior to the event / injury?

Are there any other factors involved (management, the environment, equipment, maintenance, individuals)?

What do you think could have been done to prevent this event from occurring?

Any other comments or observations?

Please circle the most appropriate response(s):

| |
|---|
| What sort of incident/injury occurred? Manual Handling / Occupational Overuse Syndromes (OOS) / cuts / bruises / burns / falls / slips / trips / vehicles / bicycles / chemicals / insects / animals / foreign body / plant / stress / other... |
| Location where incident occurred? |
| Type of injury: sting / bite / kick / puncture / strain / sprain / chemical / slip / trip / fall / other... |
| Standard operating procedures followed? Yes / No / N/A |
| Identification of equipment/object/insect involved: |
| Equipment in good condition? Yes / No / N/A |

Workers CompensationIncident/Accident/Illness Reporting and
Investigation Policy Form (cont'd)

| | |
|--|---------------------------------|
| Date of last service of equipment: | |
| Appropriate safety equipment (PPE) used? | Yes / No / N/A |
| Lighting adequate? | Yes / No / N/A |
| Housekeeping issues contributed? | Yes / No / N/A |
| Confined Space? | Yes / No / N/A |
| Surface type: cement / tile / grass / dry / wet / damaged / torn / sand / footpath / carpet / gravel / rocks / road / other... | |
| Type of shoes worn: open / closed / boots / high heels / sandals / none / other... | |
| Workload excessive? | Yes / No / N/A |
| Workload boring and repetitive? | Yes / No / N/A |
| <u>If it was a slip or trip:</u> Height of fall / slip / trip? | |
| Were you running / walking / turning a corner / jumping / other? | |
| If stairs: going up / going down? | |
| Did you fall on your front / back / side? | |
| What were you carrying (if anything) at the time? | |
| <u>If the incident involved chemicals:</u> Was an MSDS (Material Safety Data Sheet) available? | Yes / No / N/A |
| Disposal / handling / storage of chemical product adequate? | Yes / No / N/A |
| <u>If the incident involved manual handling:</u> Were work items within easy reach? | Yes / No / N/A |
| Ergonomic equipment available? | Yes / No / N/A |
| Was the equipment being used correctly? | Yes / No / N/A |
| Repetitive and/or forceful movements used? | Yes / No / N/A |
| Action involved reaching / bending / stooping / sitting / kneeling / twisting / pushing / pulling / lifting / catching / lowering / carrying | |
| Weight of object? | |
| Distance carried / position of object moved from/to? | |
| Height of load? | |
| <u>If the incident involves a vehicle or bicycle:</u> traffic conditions: | |
| Weather conditions: | dry / wet / foggy / night / day |
| Intersection / turning right or left / driveway / straight road | |
| Speed prior to incident? | |
| Travelling to work / lunch time / after work / to home / work related travel | |
| Any other factors involved? | |

Investigator's comments and observations: _____

Workers CompensationIncident/Accident/Illness Reporting and
Investigation Policy Form (cont'd)

ACTION REPORT SAFETY RECOMMENDATIONS FORM – PART 3

PART 3 Instructions: Department Heads complete Part 3 within 10 WORKING DAYS of event and forward to Human Resources Office and Safety Committee Chairperson.

A hierarchy of control should be used to assist with the prevention of future similar injuries. The 'hierarchy of control' depicts the most to the least effective methods, as shown in the table below. This is the most important part of the investigation process! Do not leave blank.

| Risk Control Options | Action Required | By Whom | By When |
|---|-----------------|---------|---------|
| Elimination – do you have to do the task? | ↓ | | |
| Substitution – is there another way you can do the task? | | | |
| Engineering – can you engineer a way to make the job safer? (Job Safety Analysis sheets may give clues) | | | |
| Administration – can you improve work practices? E.g. limit time of exposure | | | |
| Personal Protective Equipment (PPE) | | | |
| Date feedback provided to person reporting the event: | | | |
| Signed: | Print Name: | Ph: | |
| Position: | | Date: | |

| | | | |
|----------------------------------|-----------------------|-----------------------|-----------------|
| Safety Committee Recommendations | | | |
| Date Part 1 received: | Date Part 2 received: | Date Part 3 received: | Date Completed: |

V. EMPLOYEE BENEFITS

EXHIBIT

Workers Compensation

Witness Report

Inservco Insurance Services
CN 67003, Lawrenceville, NJ 08648

Your Name: _____ Home Phone: _____
Address: _____ Work Phone: _____
City: _____ State: _____ Zip: _____
Social Security No.: _____ Date Form Completed: _____

Date of Incident/Accident: _____ Approximate Time: _____

Location: _____

Did You See this Incident/Accident?: ☐ Yes ☐ No

If Yes, Please Give a Description of What Happened: _____

Was Anyone Injured?: ☐ Yes ☐ No

If Yes, Please List: Name: _____

Type of Injury: _____

Was Injured Person Taken, Or Go, To Nurse's Station?: ☐ Yes ☐ No

Were There Any Other Witnesses?: ☐ Yes ☐ No

If Yes, Please List Names: _____

I certify that this Witness Report has been read and completed to the best of my ability and that all information submitted is true.

Signature of Witness: _____ Date: _____

Unemployment Compensation

Employees who lose their jobs through circumstances beyond their control or who are working less than full-time because of a lack of full-time employment are covered by the Unemployment Compensation Law.

Both the County and its employees make contributions toward the financing of the Unemployment Compensation Insurance Program.

The employee's contribution will be deducted from his/her wages with the amount of the deduction noted on the pay stub. The employee contribution is subject to change.

Any employee who is laid off or otherwise involuntarily terminated should file a claim for benefits with the Unemployment Compensation Insurance Claim Office nearest his/her home on the first working day following a layoff.

Tuition Reimbursement

The County offers its employees an educational reimbursement program. The program is designed to provide employees with incentive to better themselves and become better employees to the County through education. Tuition reimbursement is available to program participants only at the following secondary educational facilities: Salem Community College, Salem County Vocational Technical School, Rowan University, and Wilmington University.

Tuition reimbursement shall be limited to three credit hours (not to exceed \$1500) per semester. Tuition reimbursement is available to cover the cost of tuition and textbooks. Tuition reimbursement is not available to cover special fees or incidental charges.

Tuition reimbursement is available to cover the cost of tuition and textbooks. Tuition reimbursement is not available to cover special fees or incidental charges.

Tuition reimbursement benefits are not available to Library Commission employees.

Application

Upon registering for classes, the employee must apply in writing through their respective Department Head to the Director of Human Resources for permission to become eligible for tuition reimbursement a minimum of fifteen working days prior to the date that payment is due to the school. (In this manner, an employee who is denied reimbursement can drop the class without penalty to themselves if they wish.)

Tuition reimbursement is available only for classes relevant to the employee's job. The application for tuition reimbursement must describe the class, explain the relation between the class and the employee's job and the benefits the course will provide to enable the employee to better perform his or her job. The request should also identify the school, set forth the projected cost of the course(s) and course times.

The Director of Human Resources will respond within 10 working days of receipt of the application with approval or denial to the employee through the appropriate Department Head.

Eligibility for Reimbursement

Employees who are approved for tuition reimbursement will be reimbursed upon satisfactory completion (passing grade of "C" or better) of the course work. Pass/fail courses require a grade of "pass."

Tuition Reimbursement (cont'd)

Employees who receive tuition reimbursement must remain in the County's employ for at least two years following the completion of the course toward the certification. Employees who voluntarily separate their employment with the County within the two-year period must reimburse the County for the tuition costs.

Employees taking educational courses scheduled during regular working hours will, with Department Head approval, be excused from work with pay provided the courses taken are directly related to the employee's job performance. Classes taken outside the normal workweek are taken on the employee's own time. The employee shall file a copy of all documents, including transcripts, relating to the completion of course work with the Director of Human Resources through the employee's Department Head.

Unionized Employees

Unionized employees shall only receive tuition reimbursement benefits in accordance with their applicable collective bargaining agreement.

Conferences, Seminars, Training, and Certification Courses

Professional, technical, and supervisory employees are encouraged to take advantage of seminars, conferences, training, and development opportunities. This development includes exposure to current ideas in their fields or within their realm of responsibility, association with colleagues, and interaction with other elected and appointed officials from a variety of fields throughout the state. Conference, seminar and training attendance is viewed as an opportunity for growth and enhanced benefits for the County.

This benefit is not available to Library Commission employees.

Application

Employees may attend conferences, seminars and training with prior approval of their Department Head. Employees who want to attend a conference, seminar or training must submit a written request to their Department Head at least thirty (30) days in advance of the conference, seminar or training. The Department Head, however, retains the authority to waive the thirty (30) days notice requirement in extenuating circumstances. The request should include a brief description of the conference, seminar or training, the projected costs and the dates requested to be away from the work site. Approval will be subject to the discretion of the Department Head based upon relevancy to the job and the availability of funds allocated for this purpose in the current budget. If the total expense of the conference, seminar, or training costs \$500 or more or if travel (other than mileage) or lodging is necessary, employees must use the procedure set forth in the last paragraph of this subsection.

The Department Head will respond within 10 working days of receipt of the application with approval or denial to the employee.

The County may provide tuition reimbursement for courses required to obtain job-related certifications. Employees who want to attend courses toward certification must submit a written request to their Department Head at least thirty (30) days in advance of the course. The written request should include the name of the course, the certification at issue, the location and time of the course and whether attendance would require absence from work. If the tuition reimbursement for courses required to obtain job-related certifications costs \$500 or more or if travel (other than routine mileage) or lodging is necessary, employees must use the procedure set forth in the last paragraph of this subsection.

If the total expense of the conference, seminar, training or job-related certification course is \$500 or more, or if travel (other than routine mileage) or lodging is necessary, employees must submit their written request containing the information described above to the Freeholder Committee Chair through the Director of Human Resources.

Conferences, Seminars, Training, and Certification Courses (cont'd)Eligibility for Reimbursement

To be eligible for reimbursement, employees must successfully complete the course toward the certification. Employees who receive tuition reimbursement must remain in the County's employ for at least two years following the completion of the course toward the certification. Employees who voluntarily separate their employment with the County within the two-year period must reimburse the County for the tuition costs.

All registration payments for conferences and seminars will be paid directly by the County to the vendor via the County voucher system.

Conference, seminar and training attendance will be reviewed annually during the budget process. Department Heads are responsible for including the cost of conferences, seminars, training and certification courses in the Department Budget. Employees must recognize that financial constraints may restrict attendance.

Time Off From Work

County management, personnel, and other supervisory staff may be excused from their duties to attend conferences and seminars of their professional associations and other programs designed to enhance their ability to perform their duties for the County. Absence related to conference or seminar attendance is considered approved if the employee obtained their Department Head's or the County Administrator's approval to attend the conference or seminar. If a conference or seminar does not have budgetary approval, the Director of Human Resources through the Department Head may grant time off for conference or seminar attendance without pay.

All employees who attend conferences, seminars, training or courses toward certification must at all times remember that they represent the County. Employees are expected at all times to conduct themselves respectfully and to attentively and enthusiastically participate in the program to maximize its benefit to themselves and the County.

Unionized Employees

Unionized employees shall only receive educational benefits in accordance with their applicable collective bargaining agreement.

Holidays

Full-time employees are entitled to the following paid holidays:

New Year's Day
Martin Luther King Day
Lincoln's Birthday
Washington's Birthday (3rd Monday in February)
Good Friday
Memorial Day (Last Monday in May)
Independence Day
Labor Day
Columbus Day (2nd Monday in October)
General Election Day
Veteran's Day
Thanksgiving Day
Friday following Thanksgiving
Christmas Day

Holidays the County deems appropriate for all of its employees

Full-time employees actively on the payroll at the time of a holiday receive a day of pay at straight time without having to perform work.

Employees who work twelve-hour shifts are entitled to prorated holiday leave benefits. Employees who work a twelve-hour shift, therefore, will receive the same leave benefits as employees who work an eight hour day on an hour for hour basis.

If a paid holiday occurs on the normal work day of a part-time employee, the employee is entitled to his/her regular part-time pay. Seasonal and temporary employees are not entitled to holiday benefits.

Weekend Holidays

If a paid holiday falls on a Sunday, it will be observed on the following Monday. If a paid holiday falls on a Saturday, it will be observed on the preceding Friday. Employees who work on weekends will observe the holiday on the actual day.

Eligibility for Holiday Pay

To qualify for holiday pay, employees must be in pay status the scheduled workday immediately preceding and immediately following the holiday. It is understood that authorized paid leave

Holidays (cont'd)

days which fall before or after a holiday shall not prevent an employee from receiving holiday pay.

If a paid holiday occurs while an employee is on approved vacation or sick leave, the employee shall not have that holiday charged as sick or vacation time.

Working on a Holiday

In the event a nonexempt employee works on a designated holiday, he or she will be paid at time and one-half of his or her regular rate of pay in addition to his or her regular daily wages.

If an employee is absent from work on a holiday on which he is scheduled to work, except when an employee is on an approved leave, the employee will automatically be placed on an unpaid leave of absence for that day, and shall receive no pay for that day.

Religious Holidays

Employees who wish to observe religious holidays not designated as a holiday by the County may do so without loss of pay by using available personal or vacation days, but only to the extent that the employee has not already used up his or her available administrative or vacation days.

Unionized Employees

All unionized employees shall only receive holiday benefits as provided in their applicable collective bargaining agreement.

VI. LEAVES OF ABSENCE

POLICY

Vacation

Full-time employees will receive annual vacation leave as follows:

- For each full month or major part thereof, in the first calendar year of employment: One (1) workday per month.
- Beginning with the year in which the employee's first anniversary falls : Twelve (12) workdays per year.
- Beginning with the year in which the employee's fifth anniversary falls: Fifteen (15) workdays per year.
- Beginning with the year in which the employee's twelfth anniversary falls: Twenty (20) workdays per year.
- Beginning with the year in which the employee's twentieth anniversary falls: Twenty-five (25) workdays per year.

The vacation benefits described above comply with Civil Service Commission Regulations, which require local employers to provide employees with at least the following annual vacation leave:

- Up to 1 year of service - 1 working day for each month of service except for initial month of employment. New employees earn 1 working day for the initial month of employment if they begin work on the 1st through the 8th day of that calendar month. If they begin work on the 9th through the 23rd day of the month, they earn 1/2 working day. No vacation credit is earned if the employee begins work on the 24th day of the month or after. (N.J.A.C. § 4A:6-1.2(a)(1), (a)(2)).
- From the beginning of the first full calendar year of employment and up to 10 years of continuous service, 12 working days;
- After 10 years of service and up to 20 years of continuous service, 15 working days.
- After 20 years of continuous service, 20 working days.

Employees who work twelve-hour shifts are entitled to prorated vacation leave benefits. Employees who work a twelve-hour shift, therefore, will receive the same leave benefits as employees who work an eight hour day on an hour for hour basis.

Vacation (cont'd)

Part-time employees are entitled to proportionate amounts of paid vacation leave. See N.J.A.C. § 4A:6-1.2(d). Temporary or seasonal employees are not eligible for vacation benefits.

Vacation time is credited at the beginning of the calendar year in anticipation of continued employment. (N.J.A.C. § 4A:6-1.2(a)(1)).

The Adjusted Service Date will be used to determine the number of years of service for vacation purposes. If there is no adjusted service date, then the date of hire will be used. An increase in vacation leave shall be granted at the beginning of the calendar year in which the years of service requirement will be met. (N.J.A.C. § 4A:6-1.2(a)(3)).

Scheduling Vacation Leave

Employees shall submit requests for vacation by providing a completed Request for Time Off form to the Department Head or his or her designee. Requests submitted will be honored if possible; however, proper staffing of department units must take precedence over all other considerations in scheduling vacations. Should conflicts arise because more than one employee desires the same time off, length of service according to date of hire will prevail. See Exhibit - Request for Time Off.

Vacation leave may be used in whole days or half days.

Efforts will be made to schedule vacation leave in accordance with the employee's wishes and consistent with the maintenance of efficiency. The County, however, may require an employee to reschedule his or her vacation in cases of business necessity.

During the final year of service, an employee may take his/her full vacation entitlement or may elect to receive payment in lieu of time off. (N.J.A.C. § 4A:6-1.2).

Accrual of Vacation Leave

Vacation leave not taken during the calendar year because of business necessity must be used during the next succeeding year only and shall be scheduled to avoid losing the leave. (N.J.A.C. § 4A:6-1.2(f)). Employees will be permitted to carry over the equivalent of one full pay period of vacation leave (10 working days) into the following year at their option. Employees who want to carry over vacation time to the next succeeding year must submit their written request to their Department Head no later than November 1, of the current calendar year. The written request must specify the number of days the employee seeks to carry over to the succeeding calendar year.

Vacation (cont'd)

Any employee who exhausts all of his or her vacation leave in any one year shall not be credited with any additional paid vacation leave until the beginning of the next calendar year. (N.J.A.C. § 4A:6-1.2(h)).

Employees do not accrue vacation benefits during a leave of absence without pay, except for military leave, furlough extension leave, or voluntary furlough. As a result, employees who take a leave of absence without pay during the calendar year will have vacation benefits pro-rated based on time earned. An employee who takes eleven to sixteen working days off without pay in a month will have their vacation entitlement for that month reduced by one-half. An employee who takes seventeen or more working days off without pay in a month will not accrue vacation benefits for that month. An employee who returns to work following a leave of absence without pay will not be credited with paid vacation leave until the amount of leave used in excess of the pro-rated entitlement has been reimbursed.

Employees do not accrue vacation benefits after resignation or retirement although the County maintains the employee on payroll until the employee exhausts vacation benefits or other compensatory leave. (N.J.A.C. § 4A:6-1.2(a)(4)).

Compensation Upon Separation of Employment

The County will compensate employees for accrued but unused vacation time upon resignation, retirement, layoff, involuntary termination, or other separation of employment. (N.J.A.C. § 4A:6-1.2(g)). In the event of the death of the employee, the County will compensate employee's beneficiary for the employee's accrued but unused vacation time. (N.J.A.C. § 4A:6-1.2(I)).

Vacation benefits for the final year of employment shall be pro-rated to the final day of employment. If an employee uses more than the pro-rated amount of vacation leave at the time of separation, the County will deduct the amount of vacation taken over the amount earned from his or her final compensation check.

To pro-rate vacation benefits, an employee who is on the payroll for more than twenty three (23) days will earn a full month's allowance. An employee who is on the payroll from the ninth through the twenty-third day of the month will accrue half of one month's allowance. An employee who is on the payroll from the first through the eighth day of the month will not accrue that month's allowance.

Unionized Employees

All unionized employees shall only receive vacation benefits as provided in their applicable collective bargaining agreement.

VI. LEAVES OF ABSENCE

EXHIBIT

Paid Leave

Request for Time Off

Name of Employee: _____

Title: _____ Department: _____

Type of Leave Requested:

☐ Vacation ☐ Sick ☐ Administrative ☐ Compensatory ☐ Bereavement

I request leave on the following dates:

Signature of Employee: _____ Date: _____

NOTE: Approval of vacation leave is subject to scheduling needs and seniority provisions. Employees must submit requests for administrative leave in writing to the Department Head at least forty-eight (48) hours in advance of the administrative leave day. Employees must use administrative leave within calendar year in which it is earned.

Approval of Request for Time Off

Your request for ☐ Vacation ☐ Sick ☐ Administrative ☐ Compensatory ☐ Bereavement time off on the following dates has been approved:

Your request for ☐ Vacation ☐ Sick ☐ Administrative ☐ Compensatory ☐ Bereavement time off on the following dates has not been approved:

Signature of Department Head: _____ Date: _____

cc: Human Resources Office

Administrative LeaveAdministrative Leave Entitlement

Employees who have not completed one full calendar year of employment shall receive one administrative day for every six months worked. All full-time employees who have completed one full calendar year of employment shall be granted three administrative days at the beginning of each calendar year in anticipation of continued employment.

Employees who work twelve-hour shifts are entitled to prorated administrative leave benefits. Employees who work a twelve-hour shift, therefore, will receive the same leave benefits as employees who work an eight hour day on an hour for hour basis.

Part-time employees, temporary employees and seasonal employees are not entitled to administrative leave days.

Administrative leave must be taken in whole days or in hourly increments.

Notification

Employees who want to take administrative leave should request administrative leave from their Department Head by completing the Request for Time Off form. Except for emergency situations, the request for administrative leave should be made as far in advance as possible, but not less than 48 hours prior to the administrative leave day to be taken. In case of emergency, an employee shall notify his or her immediate supervisor or other management designee by personal telephone conversation to the extent possible within one hour after the beginning of work for his or her position, except that in twenty-four-hour shift operations where notice must be given a minimum of one hour before the employee's starting time, unless extenuating circumstances prevent such notification. See Exhibit - Request for Time Off.

Accrual of Administrative Leave

Employees must take administrative leave in the calendar year in which it is earned. Administrative leave shall not accumulate from year to year.

Any employee who exhausts all of his or her administrative leave in any one year shall not be credited with additional paid administrative leave until the beginning of the next calendar year.

Administrative Leave (cont'd)

Unionized Employees

Unionized employees shall receive administrative leave benefits in accordance with their respective collective bargaining agreements.

Sick LeaveEligible Use of Sick Leave

Sick leave may be used for personal illness or injury, exposure to contagious disease, care for a seriously ill member of an employee's immediate family for a reasonable period of time, or death in an employee's immediate family for a reasonable period of time. For the purposes of this policy, immediate family shall include an employee's father or step-father, mother or step-mother, spouse, child or foster child, sister, brother, mother-in-law or father-in-law, grandmother, grandfather and any relatives of the employee residing in the employee's household. (N.J.A.C. 4A:6-1.3(g)).

Sick leave may also be used by an employee with a disability for absences related to the acquisition or use of an aid for the disability when the aid is necessary to function on the job. In such cases, the County may require reasonable proof.

Sick leave may not be used for personal business. Employees must schedule routine checkups, or "well" visits outside of working hours.

Sick Leave Entitlements

During the initial month of employment, full-time employees will receive one working day of sick leave if they begin work on the 1st through the 8th day of the calendar month, and 1/2 working day if they begin on the 9th through the 23rd day of the month. No credit is earned if an employee begins work on the 24th day of the month or after. (N.J.A.C. § 4A:6-1.3(a)(1)).

After the initial month and up to the end of the first calendar year, full-time employees earn one working day for each month of service.

At the beginning of each calendar year thereafter, full-time employees shall have 15 working days of sick leave credited in anticipation of continued employment. (See N.J.A.C. § 4A:6-1.3(a)(2)).

Employees who work twelve-hour shifts are entitled to prorated sick leave benefits. Employees who work a twelve-hour shift, therefore, will receive the same leave benefits as employees who work an eight hour day on an hour for hour basis.

Part-time employees are entitled to proportionate amounts of paid sick leave. (N.J.A.C. § 4A:6-1.3(b)). Temporary or seasonal employees are not eligible for sick leave benefits.

Sick leave may be taken in whole days or in hourly increments.

Sick Leave (cont'd)Notification

Any employee who does not expect to report to work for any reason that entitles him or her to take sick leave, must notify his or her immediate supervisor or other management designee by personal telephone conversation to the extent possible within one hour prior to the beginning of work for his or her position, except that in twenty-four-hour shift operations where notice must be given a minimum of one hour before the employee's starting time, unless extenuating circumstances prevent such notification.

When it is known that sick leave will be required for more than three working days, the employee must request such leave in writing to his immediate supervisor. The employee must furnish proof of illness signed by a physician and set forth the anticipated duration of the absence.

Employees must provide thirty (30) calendar days' advance notice of extended, foreseeable sick leave (i.e., planned medical surgeries).

The failure to provide notice of intention to take sick leave may result in a forfeiture of sick leave credit and may constitute cause for disciplinary action up to and including termination.

Employees absent for five (5) consecutive working days who do not notify their immediate supervisor or Department Head will be considered to have voluntarily quit their employment.

Verification of Sick Leave

A certificate from a physician designated by the County or the employee's own physician may be required at any time as proof of the need for sick leave upon timely notice to the employee. To be timely, notice must be given in sufficient time that the employee would be reasonably able to schedule an examination a physician while still indisposed. Additionally, the County may require that any employee absent on sick leave be examined by a physician designated by the County. Abuse of sick leave shall be cause for disciplinary action up to and including termination of employment.

Employees who are absent for five (5) or more consecutive working days are required to confidentially submit a certificate from their physician to the Human Resources Office. The doctor's certificate must contain the reason for the absence and probable duration of condition.

Sick leave due to quarantine or exposure to a contagious disease requires that the employee submit a certificate from the local Department of Health or such other reasonable proof as the Department Head shall require.

Sick Leave (cont'd)

In cases of extended illness, disability, or a pattern of absences, the employee may be required to furnish a medical certification regarding his or her ability to resume work.

Additionally, if there is reasonable doubt concerning an employee's fitness, the Department Head or Director of Human Resources may require that the employee be examined by the County physician prior to returning to work, to determine the employee's fitness to perform the essential functions of his or her position and/or to ensure that the employee's return will not jeopardize the health of the employee or other employees.

Prescription Medication and Long-Term Medical Conditions

If an employee takes an over-the-counter medication or a prescribed drug, the employee should consult his or her prescribing medication professional to determine whether the drug may have an adverse effect on his or her personal safety or job performance while at work. If it is reasonably foreseeable that the effects of the medication pose a danger to the employee's safety, or the safety of a co-worker or any other person, or otherwise impair the employee's ability to perform his or her job, the employee must inform their Department Head.

Employees who perform safety-sensitive responsibilities must notify the Department Head of any medical condition that may have an adverse effect on his or her personal safety or job performance or the safety of a co-worker or any other person.

If there is a reasonable doubt concerning an employee's fitness, the Department Head may require acceptable medical documentation of the employees' ability to safely and properly perform his or her essential job functions. The Department Head may further require that an employee obtain a medical release from a physician acceptable to the County.

Accrual of Sick Leave

Unused sick leave shall accumulate from year to year without limit. (N.J.A.C. § 4A:6-1.3(f)).

An employee who exhausts all of his/her paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year. (N.J.A.C. § 4A:6-1.3(e)).

Employees do not accrue sick leave benefits during a leave of absence without pay, except for furlough extension leave, or voluntary furlough. As a result, employees who take a leave of absence without pay during the calendar year will have sick leave benefits pro-rated based on time earned. An employee who takes eleven to sixteen working days off without pay in a month

Sick Leave (cont'd)

will have their sick leave entitlement for that month reduced by one-half. An employee who takes seventeen or more working days off without pay in a month will not accrue sick leave benefits for that month. An employee who returns to work following a leave of absence without pay will not be credited with paid sick leave until the amount of leave used in excess of the pro-rated entitlement has been reimbursed.

Employees do not accrue sick leave benefits after resignation or retirement although the County maintains the employee on payroll until the employee exhausts vacation benefits or other compensatory leave. (N.J.A.C. § 4A:6-1.3(d)).

Sick leave benefits for the final year of employment shall be pro-rated to the final day of employment. If an employee uses more than the pro-rated amount of sick leave at the time of separation, the County will deduct the amount of sick leave taken over the amount earned from his or her final compensation check.

To pro-rate sick leave benefits, an employee who is on the payroll for more than twenty-three (23) days will earn a full month's allowance. An employee who is on the payroll from the ninth through the twenty-third day of the month will accrue half of one month's allowance. An employee who is on the payroll from the first through the eighth day of the month will not accrue that month's allowance.

Terminal Leave

Employees who retire on a pension through the New Jersey Division of Pensions and Benefits will receive severance pay for one-half of their accrued but unused sick leave at the date of retirement.

The severance pay value will be calculated based on the employee's current rate of pay. In no case shall the severance pay exceed fifteen-thousand dollars (\$15,000.00).

Unionized Employees

Sick and terminal leave benefits for employees that are represented by unions shall be governed solely by the sick and terminal leave provisions incorporated in their respective contracts. Provisions governing verification of sick leave apply to all employees.

Family and Medical Leave

Pursuant to the Family and Medical Leave Act of 1993 (the FMLA), County employees who have worked for the County for at least 12 months and have worked at least 1,250 hours over the previous 12 months, are eligible for unpaid, job-protected leave of up to 12 weeks in a 12-month period for family and medical reasons. Eligibility for family/medical leave is based on the 12-month period measured forward from the date the employee's first FMLA leave begins. An unpaid leave may be taken for the following purposes:

1. The birth of the employee's child and the care of the child. This provision is applicable to both mothers and fathers;
2. The placement of a child with the employee for adoption or foster care;
3. The care of the employee's spouse, child, or parent who has a serious health condition;
4. A serious health condition that renders the employee unable to perform his or her job.
5. A qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation ("Qualifying Exigency Leave").

Qualifying Exigency Leave is available to a family member of a military member in the National Guard or Reserves; it does not extend to family members of military members in the Regular Armed Forces. An employee whose spouse, child, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. Reasons related to the call-up or service include helping the family member prepare for departure or caring for children of the service member. The leave may commence as soon as the individual receives the call-up notice. (Child for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period. Eligibility for Qualifying Exigency Leave is based on a rolling 12-month period measured backward from the date an employee uses any FMLA leave. An employee requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service before leave is granted.

Family and Medical Leave (cont'd)

Qualifying exigencies include:

- Issues arising from a covered military member's short notice of deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings, sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, or immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a healthcare provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to five (5) days of leave to spend time with a covered military member who is on short-term, temporary rest and recuperation leave during deployment;
- Attending certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;
- Any other event that the employee and the County agree is a qualifying exigency.

Family and Medical Leave (cont'd)

6. To care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the service member ("Military Care Giver Leave").

This leave may extend up to 26 weeks in a single 12-month period for an employee whose spouse, child, parent or next-of-kin is injured or recovering from an injury suffered while on active military duty and who is unable to perform duties of the service member's office, grade, rank or rating. Next-of-kin is defined as the closest blood relative of the injured or recovering service member. An employee is also eligible for this type of leave when the family service member is receiving medical treatment, recuperation or therapy, even if the service member is on a temporary disability retired list.

An employee requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave.

Under the FMLA, a child includes biological, adopted, and foster child, step-child, legal ward or a "child" of a person acting in the capacity of a parent. The term "parent" includes biological parents, as well as a person that acted in the capacity of a parent toward the employee. Siblings and in-laws are not covered by the FMLA.

A "serious health condition" means a mental or physical illness, injury, or impairment which involves inpatient care at a medical care facility or continuing treatment by a health care provider. Additionally, an employee's serious health condition means the employee is unable to perform the essential functions of his or her job.

It is not required that the leave be taken all at one time. Intermittent leave or reduced leave (less than the 12 weeks) can be taken if an employee or a covered relation has a serious health condition, provided intermittent or reduced leave is medically necessary. In addition, an employee with more than one qualifying event within a 12 month period is not entitled to a separate 12 week period of leave for each event.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

Family and Medical Leave (cont'd)

The “single 12-month period” for leave to care for Military Care Giver Leave begins on the first day that the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the County for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.

To Request FMLA

To request FMLA, an employee shall submit a written application to the Human Resources Office. Applications for Family Medical Leave are available in the Human Resources Office. The Application for Family Medical Leave form provides the County with, among other things, notice that leave will be taken, the amount of leave to be taken and the reason for the leave.

The County requires that an employee’s request for military leave be supported by an appropriate certification. Qualifying Exigency Leave is be supported by a copy of the covered military member’s active duty orders and Certification of Qualifying Exigency for Military Family Leave form providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party.

In addition, if the leave involves an illness, the employee shall be required to submit a written Certification to the Human Resources Office. Certification of Health Care Provider forms are available in the Human Resources Office. The Certification of Health Care Provider form must be completed by a health care provider and shall include, among other things:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. Where applicable, a statement that the employee is needed to care for a covered relation and the amount of time needed to care for the person.
5. Where applicable, a statement that the employee cannot perform the essential functions of the employee’s job.

Family and Medical Leave (cont'd)

Intermittent or reduced leave medical certifications shall state:

1. The dates on which treatment is expected to be given and the duration of such treatment;
2. A statement of the medical necessity for the intermittent or reduced leave schedule and the expected duration;
3. Where applicable, a statement that an intermittent or reduced leave schedule is necessary to care for a covered relation or will assist in the recovery and the expected duration and schedule of the leave.

The County may require subsequent recertification on a reasonable basis. Failure to provide any certification is grounds for denial of the leave. If the County has doubt as to the validity of the certification provided, the County may require, at its expense, that the employee obtain a second opinion from a health care provider selected by the County. If the second opinion differs from the first, a third mutually agreeable health care provider shall be selected, whose opinion shall be binding.

Military Care Giver Leave is to be supported by a Certification of Health Care Provider form, by a copy of an Invitational Travel Order (ITO), or by an Invitational Travel Authorization (TA) issued to any member of the covered service member's family.

The County retains the right to designate qualifying leave as FMLA leave.

Notification Requirements

If the leave is foreseeable, the employee must provide at least 30 days notice prior to the leave beginning. If the leave needs to begin in less than 30 days, the employee must provide such notice as is practicable.

Employees seeking to use military care giver leave must provide 30 days advance notice of the need to take Military leave for planned medical treatment for a serious injury or illness of a covered service member. If the leave is foreseeable but 30 days advance notice is not practicable, the employee must provide notice as soon as practicable – generally, either the same or next business day.

An employee must provide notice of the need for foreseeable qualifying exigency leave as soon as practicable. When the need for military leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the County's usual and customary notice requirements.

Family and Medical Leave (cont'd)Intermittent or Reduced Schedule Leave

Intermittent or reduced schedule leave may be available, depending upon the reason for the leave. Intermittent leave is leave taken in separate blocks of time, rather than one continuous period. Reduced leave is a schedule in which the weekly hours or hours per day are reduced. The County provides intermittent or reduced schedule leave in accordance with the FMLA and the NJFLA.

Compensation for Family Medical Leave Time

The County permits employees to use their accrued but unused personal and vacation leave time toward FMLA leave. The accrued time which may be applied depends upon the reason for the leave.

The County requires an employee who takes FMLA leave because of his or her own serious medical condition to use accrued but unused sick time toward the FMLA leave.

Health Benefits During Family Medical Leave

The County will pay health benefit costs for an employee who is on family medical leave to the extent the County pays them for an active employee not on leave. Therefore, if applicable, an employee must continue to pay his or her regular payroll deduction for benefits while on leave.

If on paid leave, the employee's contribution will be collected in the same manner as if the employee was reporting to work. During periods of unpaid leave, the employee must arrange with the Human Resources Office, prior to taking the leave, for payment of the employee's share of the premium.

Accrual of Leave Time During FMLA Leave

An employee will accrue paid time off (i.e., administrative time, vacation time, sick time) while using accrued time toward FMLA leave. An employee who has exhausted all of his or her available time does not accrue leave time during unpaid leave.

Outside Employment During FMLA Leave

An employee on FMLA leave is required to comply with the County's Outside Employment policy during FMLA leave.

Family and Medical Leave (cont'd)Military Family Medical Leave Entitlements

Spouses both employed by the County are limited to a combined total of 26 weeks in a single 12-month period if the leave is to care for a covered service member with a serious injury or illness.

Military medical leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. Military medical leave also may be taken intermittently for a qualifying exigency arising out of the active duty status or call to active duty of a covered military member. When leave is needed for planned medical treatment, the employee must make reasonable effort to schedule treatment so as not to unduly disrupt County operation.

Under certain conditions, employees may choose to substitute (run concurrently) accrued sick time to cover some or all of the Military leave. An employee's ability to substitute paid time is determined by the terms and conditions of the County's applicable leave policy. For example, an employee may opt to take sick leave toward the Military leave, if the reason for the leave qualifies for sick leave.

Return from Leave

Upon return from leave, the County will restore an employee to his or her position or to a position with equivalent pay, benefits, and other terms and conditions of employment; however, the County cannot guarantee that an employee will be returned to his or her original job. The County will determine whether a position is an "equivalent position".

All employees who take leave for their own serious medical condition will be required to present a fitness-for-duty certification to be restored to employment.

Consequences of Failing to Return upon Expiration of Leave

Unless the County grants an extension, an employee who fails to return to work upon the expiration of a family or medical leave will be subject to termination. Upon exhaustion of the FMLA leave, an employee will immediately lose health insurance coverage. Please note that a thirty-day grace period does not exist. An employee who does not continue employment may continue health insurance coverage pursuant to COBRA at his or her own expense. If an employee does not return to work following leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitled the employee to FMLA leave; or (2) other circumstances beyond the employee's control, the employee may be required to reimburse the County for its share of health insurance premiums paid on the employee's behalf during the leave.

Family and Medical Leave (cont'd)

The employee should direct his or her written request for an extension of leave to the Human Resources Office as soon as he or she realizes that he or she will not be able to return at the expiration of the leave.

If an employee fails to return to work within five (5) consecutive working days following the expiration of the leave, the employee shall be considered to have abandoned his or her position and voluntarily resigned.

The employee may also be eligible for leave under the New Jersey Family Leave Act. Leave under the Family Medical Leave Act and the New Jersey Family Leave Act will run concurrently, unless otherwise provided by law. For additional information, contact the Human Resources Office.

New Jersey Family Leave

Employees who have worked for at least twelve months and for at least 1,000 hours during the twelve-month period immediately preceding the leave are entitled to twelve weeks of family leave in any twenty-four month period under the provisions of the New Jersey Family Leave Act. Employees may take leave because of:

1. The birth or adoption of a child; or
2. The serious health condition of a family member.

“Child” means a biological, adopted, or foster child, stepchild, legal ward, or child of a parent who is (1) under the age of 18, or (2) 18 years of age or older but incapable of self-care because of mental or physical impairment. “Parent” means a person who is the biological parent, adoptive parent, foster parent, step-parent, parent-in-law, or legal guardian, having a “parent-child relationship” with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child. “Family member” means a child, parent, spouse or one partner in a civil union couple.

Any employee who wishes to apply for Family Leave must request such leave from the Human Resources Office thirty (30) days in advance of the birth or adoption of a child or 15 days in advance if caring for a seriously ill family member. This time requirement may be waived in emergency situations by the Human Resources Office.

During Family Leave, employees must comply with the County’s Outside Employment policy. No employee shall perform services on a full-time basis for any employer for whom the employee did not provide those services immediately prior to the commencement of the leave.

Employees may also be eligible for leave under the federal Family Medical Leave Act. Leave under the federal Family Medical Leave Act and the New Jersey Family Leave Act will run concurrently, unless otherwise provided by law. For additional information, contact the Human Resources Office.

Beginning July 1, 2009, employees who have worked 20 “base weeks” in the prior year or who have earned \$7,150.00 in the prior year are entitled to six (6) weeks of paid leave over a twelve (12) month period to care for:

1. A newborn, newly adopted child (and must be taken within the first twelve (12) months after the birth or placement of the child for adoption) ; or
2. A family member with a serious health condition.

New Jersey Family Leave (cont'd)

“Child” means a biological, adopted, or foster child, stepchild, legal ward, or child of a parent who is (1) under the age of 18, or (2) 18 years of age or older but incapable of self-care because of mental or physical impairment. “Parent” means a person who is the biological parent, adoptive parent, foster parent, step-parent, parent in-law, or legal guardian, having a “parent-child relationship” with a child as defined by law, or having sole or joint legal or physical custody, care, guardianship, or visitation with a child. “Family member” means a child, parent, spouse, or one partner in a civil union couple.

“Serious Health Condition” means an injury, illness, injury, impairment or physical or mental condition which requires inpatient care in a hospital, hospice, or residential medical care facility; or continuing medical treatment or supervision by a health care provider.

Compensation While on Paid Family Leave

Paid Family Leave benefits are paid based on 2/3 of the employee’s average weekly wage up to a maximum of \$524.00 per week. Benefits are payable after a one week period following the start of the leave, unless the leave is to be three (3) weeks or longer, then employee would be paid for the first week of leave.

An employee cannot collect Paid Family Leave benefits if he/she is receiving temporary disability benefits for their own inability to perform the duties of employment due to the employee’s own disability.

Notification Requirements

Any employee who wishes to apply for Family Paid Leave must request such leave for the Human Resources Office thirty (30) days in advance of the birth or adoption of a child. If thirty (30) days is not provided, the employee will lose two (2) weeks of leave. Fifteen (15) days notice must be given to care for a seriously ill family member. This time requirement may be waived in emergency situations by the Human Resources Office.

To Request Paid Family Leave

To request paid family leave, the employee shall submit a written application to the Human Resources Office. Applications for Paid Family Leave are available in the Human Resources Office. The Application for Paid Family Leave provides the County with, among other things, notice that the leave will be taken, the amount of leave to be taken and the reason for the leave. In addition, if the leave involves an illness, the employee shall be required to submit a written Certification to the Human Resources Office. Certification of Health Care Provider forms are available in the Human Resources Office and must be completed by a health care provider.

New Jersey Family Leave (cont'd)

Since the New Jersey Paid Family Leave is similar to the State Temporary Disability benefit in the fact that it is employee funded, employees are also required to complete state forms before payment to the employee can occur.

VI. LEAVES OF ABSENCE

EXHIBIT

Family and/or Medical Leave

Application for Family and/or Medical Leave (FMLA)
and/or New Jersey Family Leave (NJFLA)

Name: _____ Date of Request: _____

Mailing Address: _____

Department: _____ Hire Date: _____

Title: _____

Start Date of Anticipated Leave: _____

Expected Date of Return to Work: _____

Reason for Leave:

- ☐ I request family leave to care for my newborn child, newly adopted child, or a newly placed foster child in my home.
- ☐ I request family leave to care for my family member with a serious health condition.
I request family leave to care for:
☐ Spouse ☐ Child ☐ Parent
NJFLA Only: ☐ Parent-in-Law ☐ Civil Union/Domestic Partner

Name: _____ Address: _____

- ☐ I request medical leave to care for my own serious medical condition.
Describe serious health condition: _____

- ☐ I request military family leave because of a qualifying exigency arising out of the fact that my ☐ Spouse ☐ Child ☐ Parent
is on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or reserves.

- ☐ I request military family leave because I am the
☐ Spouse ☐ Child ☐ Parent ☐ Next of Kin
of a covered service member with a serious injury or illness.

Family and/or Medical Leave

Application for FMLA and/or NJFLA (cont'd)

A leave request based on an employee's serious health condition, the serious health condition of an employee's spouse, child, parent, parent-in-law, or civil union/domestic partner, or the "service" injury of an employee's spouse, child, parent, or next of kin must be accompanied by a verifying medical certification from a physician. The medical certification must be submitted within 15 days of the request for Family or Medical Leave.

Method of Leave Requested:

- ☐ Consecutive Leave
- ☐ Intermittent or Reduced Leave Schedule (specify schedule below).
The availability of intermittent or reduced leave depends upon the reason for the leave. The County provides intermittent or reduced leave as required by law.

Schedule: _____

Substitution of Paid Leave:

Generally FMLA/NJFLA leave is unpaid. You may substitute accrued but unused administrative, vacation, or compensatory time for unpaid FMLA/NJFLA leave. You may substitute accrued but unused sick time for unpaid FMLA/NJFLA leave only when the leave otherwise qualifies for sick leave use. Please note that any instance of unpaid time will result in an adjusted service date.

- ☐ I request to substitute accrued administrative time for unpaid FMLA/NJFLA leave;
- ☐ I request to substitute accrued vacation time for unpaid FMLA/NJFLA leave;
- ☐ I request to substitute accrued compensatory time for unpaid FMLA/NJFLA leave;
- ☐ If applicable, I request to substitute accrued sick time for unpaid FMLA/NJFLA leave;
- ☐ I request unpaid FMLA/NJFLA leave.

I authorize the County or its authorized agent to contact the physician of record on this request to verify the medical condition, obtain records to provide for an independent second opinion, or determine the duration of the condition. If the County requests, I will sign a formal medical records release form to facilitate such inquiries.

Family and/or Medical Leave

Application for FMLA and/or NJFLA (cont'd)

I understand that if my family or medical leave (total of paid and unpaid time) does not exceed 12 weeks (26 weeks for military caregiver leave), I will be returned to my same or equivalent position. I understand that if my family or medical leave exceeds 12 weeks (26 weeks for military caregiver leave), the County may terminate my employment in accordance with the applicable law. If my request for leave is approved, it is my understanding that unless the County has authorized an extension of my leave in writing, I must report to duty on the first workday following the date my leave is scheduled to end. I understand that failure to return to work within five (5) consecutive working days following the expiration of the leave will constitute unequivocal notice of my intent not to return to work and the County may terminate my employment.

Signature of Employee: _____ Date: _____

Received By: _____
Employer Representative

Complete and Return To:

Salem County Human Resources Office
94 Market Street
2nd Floor, Administration Building
Salem, NJ 08079

VI. LEAVES OF ABSENCE

EXHIBIT

Family and/or Medical Leave

Certification of Health Care Provider

1. Employee's Name: _____
2. Patient's Name (if different from employee): _____
3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition¹ qualify under any of the categories described? If so, please check the applicable category.

(1) __ (2) __ (3) __ (4) __ (5) __ (6) __, or None of the above __
4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5.
 - a. State the approximate date the condition commenced: _____
 - b. State the probable duration of the condition: _____
 - c. State the probable duration of the patient's present incapacity² if different: _____

¹ Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA leave.

² **"Incapacity"**, for purposes of FMLA, is defined to mean inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from.

Certification of Health Care Provider (cont'd)

- d. Will it be necessary for the employee to take off work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)? Yes No

If yes, state the probable duration: _____

- e. If the condition is a chronic condition (condition #4) or pregnancy, is the patient presently incapacitated? Yes No

If yes, what is the likely duration and frequency of episodes of incapacity:

6. a. If additional **treatments** will be required for the condition, provide an estimate of the probable number of such treatments.

- b. If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

- c. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

- d. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring special equipment):

Family and/or Medical Leave

Certification of Health Care Provider (cont'd)

7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?

Yes No

- b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (answer after reviewing job description from employer describing essential functions of employee's position, or if not provided, after discussing the employee's job responsibilities with the employee)?

Yes No

If yes, please list the essential functions the employee is unable to perform:

- c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?

Yes No

8. a. If leave is required to care for an immediate family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety, or transportation?

Yes No

- b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery?

Yes No

- c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need: _____

VI. LEAVES OF ABSENCE

EXHIBIT

Family and/or Medical Leave

Certification of Health Care Provider (cont'd)

Signature of Health Care Provider: _____ Date: _____

Name of Health Care Provider: _____ Telephone: _____

Address: _____

Type of Practice: _____

Area of Specialization: _____

Please return completed form in a sealed envelope marked CONFIDENTIAL to:

Salem County Human Resources Office
94 Market Street
2nd Floor, Administration Building
Salem, NJ 08079

Family and/or Medical Leave

Certification of Health Care Provider (cont'd)

DEFINITION OF A SERIOUS HEALTH CONDITION

A "Serious Health Condition" means an illness, injury, impairment, or physical or medical condition that involves one of the following:

1. Hospital Care: Inpatient Care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
2. Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
 - (1) Treatment³ two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - (2) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment⁴ under the supervision of the health care provider.
3. Pregnancy: Any period of incapacity due to pregnancy, or for prenatal care.
4. Chronic Conditions Requiring Treatments: A chronic condition which:
 - (1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 - (2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and

³ Treatment includes examination to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

⁴ A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

Family and/or Medical Leave

Certification of Health Care Provider (cont'd)

- (3) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- 5. Permanent/Long-term Conditions Requiring Supervision: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under continuing supervision or, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease).
- 6. Multiple Treatments (Non-Chronic Conditions): Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Family and/or Medical Leave

Certification of Health Care Provider (cont'd)

To be completed by the employee needing family leave to care for a family member:

State the care you will provide and an estimate of the time period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Signature of Employee: _____ Date: _____

Please return completed form in a sealed envelope marked CONFIDENTIAL to:

Salem County Human Resources Office
94 Market Street
2nd Floor, Administration Building
Salem, NJ 08079

VI. LEAVES OF ABSENCE

EXHIBIT

Family and/or Medical Leave

Return to Work Medical Certification

Employee Name: _____ Position: _____

Date leave commenced: _____ Date employee can return to work: _____

To Be Completed by Health Care Provider:

_____ I have completely examined this employee. In my medical opinion, his/her functional capacity is limited such that there is no possible way to modify his/her work environment to accommodate his/her physical and/or mental limitations according to the attached job description that was reviewed by me.

_____ This employee's condition prevents him/her from safely performing the essential functions of his/her position and will be unable to return to work.

- or -

_____ This employee is unable to return to work at this time and should be out of work until (please provide date): _____

_____ I have completely examined this employee and in my medical opinion, his/her functional capacity is limited. This employee can continue to work safely if the job, according to the attached job description that was reviewed by me, is modified to match the modifications stated below:

_____ Modified duty status should continue until _____
Date

_____ I have completely examined this employee. In my medical opinion I believe this employee can resume/perform all functions of his/her position without restrictions according to the attached job description that was reviewed by me.

VI. LEAVES OF ABSENCE

EXHIBIT

Family and/or Medical Leave

Return to Work Medical Certification (cont'd)

Signature of Health Care Provider: _____ Date: _____

Name of Health Care Provider: _____ Telephone: _____

Address: _____

Type of Practice: _____

Area of Specialization: _____

Please return completed form in a sealed envelope marked CONFIDENTIAL to:

Salem County Human Resources Office
94 Market Street
2nd Floor, Administration Building
Salem, NJ 08079

Special Leave

Special leave may be given for up to twelve (12) months. Employees who want to take a leave of absence for a reason not covered by the FMLA or NJFLA, or beyond the leave time provided under the FMLA or NJFLA, may be granted a special leave of absence for up to two (2) months upon written application to the Human Resources Office, if the leave does not cause undue operational disruption. Special leaves of absence for a duration of up to two (2) months are subject to the approval of the Director of Human Resources. Leaves may be extended up to a maximum period not to exceed twelve (12) months at the sole discretion of the Administrative Committee.

The special leave of absence must include the use of any accrued administrative, vacation and, if applicable, sick leave time regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of administrative, vacation and, if applicable, sick leave will be without pay.

To Request a Leave of Absence

To request a leave of absence without pay, an employee must fill out a Special Leave Request and return it to the Human Resources Office with a copy to the Department Head.

Notification

If the leave is foreseeable, the request for the leave must be submitted thirty (30) days in advance of the desired commencement of the leave. If the leave needs to begin in less than thirty (30) days, the employee must provide such notice as is practicable. If the request is for an extension of a leave taken under the FMLA and/or NJFLA, where the employee has taken the maximum amount of leave permitted under the FMLA and/or NJFLA, the request for continuation of the leave must be submitted 30 days in advance of the expiration of the FMLA or NJFLA leave.

Reasons for a Special Leave of Absence

Special leaves of absence may be granted for medical or educational reasons, family circumstances, or other good cause. Special leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees must use leaves of absence for the purpose it was granted. The failure to use a leave of absence for the purpose it was granted may provide grounds for disciplinary action up to and including termination of employment.

Special Leave (cont'd)Accrual of Leave Time

Employees will accrue paid time off (i.e., administrative leave, vacation leave, sick leave) while using accrued time toward a special leave of absence. Employees who have exhausted all of their available time do not accrue leave time during unpaid leave. Health benefits may also be impacted.

Consequences of Failure to Return to Work

A special leave is granted with the understanding that the employee intends to return to work for the County. If the employee fails to return to work within five (5) consecutive working days following the expiration of the leave, the employee shall be considered to have abandoned his or her position and voluntarily resigned.

VI. LEAVES OF ABSENCE

EXHIBIT

Special Leave

Application for Special Leave

Any full-time or part-time employee may be granted an unpaid leave of absence for educational reasons, family circumstances, or other good cause upon written application to the Department Head and County Administrator. Requests shall be submitted in writing, stating the reason, the beginning date and the expected date of return. Leaves may be granted for up to a maximum of two months but may be extended under exceptional circumstances by the Administration Committee Freeholder (maximum period not to exceed 12 months). Please note that while on a Special Leave you will be responsible for your Health Benefits and you must report to the Payroll Office upon the completion of your leave in order for benefits to be reinstated. Also, any and all unpaid time will result in an adjusted service date.

Employee Name: _____

Department: _____ Hire Date: _____

Title: _____ Date of Request: _____

I request a Special Leave for the following reason (check one):

- ☐ Educational Reasons
- ☐ Family Circumstances
- ☐ Other

Date leave is to begin: _____ Expected return date: _____

Duration of leave: _____ weeks _____ days

Describe in detail the reason for the request:

Signature of Employee: _____ Date: _____

Complete and return to Department Head ten (10) days prior to leave commencing

Bereavement Leave

Full-time employees shall be granted up to three working days of bereavement leave with pay for a death in their immediate family or in the immediate family of the employee's spouse. Immediate family means spouse, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, aunt, uncle, son-in-law, daughter-in-law, or any relative residing in the employee's household.

Employees shall be granted up to two working days of bereavement leave with pay upon the death of an employee's brother-in-law, sister-in-law, niece, nephew, or the spouse of the employee's brother or sister.

Bereavement leave must be taken within three working days of the funeral or memorial service.

The County may require that the employee produce reasonable proof of death and relationship.

Bereavement leave shall not be charged to sick or vacation leave. Such leave is not cumulative.

Employees who work twelve-hour shifts are entitled to prorated bereavement leave benefits. Employees who work a twelve-hour shift, therefore, will receive the same leave benefits as employees who work an eight hour day on an hour for hour basis.

Procedure

To use bereavement leave:

1. Employees who request bereavement leave must notify their Department Head of their intent to take such leave as soon as possible. Unless impracticable, employees should request bereavement leave in writing using the Request for Time Off form.
2. The Department Head or his or her designee shall notify the Human Resources Office that an employee is using bereavement leave.
3. Employees who request an extension of bereavement leave beyond the established number of days shall have such extensions charged to accumulated unused vacation or sick leave. If an employee has used all of his or her accrued leave time, extended bereavement leave will be considered as a request for a leave of absence without pay.

Unionized Employees

Unionized employees shall only be entitled to bereavement leave in accordance with their respective collective bargaining agreements.

Military Leave

The County provides military leave in accordance with applicable state and federal law. In all cases involving military leave, the employee must, as soon as possible, provide his or her Department Head with a certificate verifying the call to military duty prior to beginning the military leave.

Organized Militia

Any permanent or full-time temporary officer or employee, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other affiliated organization, including the National Guard of other states, shall be entitled to a leave of absence without loss of pay or time on all work days on which he or she is engaged in any period of Federal active duty, up to 30 work days in any calendar year. A military leave of absence is in addition to the employees regular vacation or other accrued leave. Any leave of absence for such duty in excess of 30 work days will be without pay but without loss of time.

A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

New Jersey Organized Militia

New Jersey's organized militia consists of the National Guard (Army and Air), the Naval Militia, and the State Guard. Any permanent or full-time officer or employee who is a member of the New Jersey organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence without loss of pay or time on all days during which he or she shall be engaged in State or Federal active duty, up to 90 work days in any calendar year. Any leave of absence for such duty in excess of 90 work days will be without pay but without loss of time.

A full-time temporary officer or employee who has served under such temporary appointment for less than one year will receive military leave without pay but without loss of time.

Reinstatement

To be reinstated by the County without loss of privileges or seniority, the employee must report for duty with the County within the time required by law following release from active duty under honorable circumstances.

In accordance with legal requirement, employees who take military leave are required to:

- Provide the County with proper notice of the leave;

Military Leave (cont'd)

- Apply for reinstatement within the time required by law;
- Have a creditable military record including completion of all required training and full-time service and be discharged under honorable conditions.

On return from a military leave of absence, the employee will be reinstated as required by law. See The Uniformed Services Employment and Reemployment Act (“USERRA”). Failure to comply with the requirement enumerated above or as required by law will jeopardize an employee’s reemployment rights.

Jury Duty Leave

When an employee is called for jury duty and for the duration of such service, the employee shall be entitled to a temporary leave with pay provided that:

- The employee submits a written request with a copy of the summons to his or her Department Head within three business days after receipt of the summons;
- The employee inquires about the anticipated length of service and informs his or her Department Head of the expected duration in advance of accepting service;
- The employee notifies his or her Department Head as soon as possible if the length of jury duty has been extended beyond the original return date;
- The employee communicates with their Department Head to determine when they will report to work at such time as his or her presence as a juror is not required;
- The employee provides his or her Department Head with an appropriate certification or order from the assignment judge, clerk of the court or such other officer as shall be appropriate setting forth the period of such jury duty service to be attached to the weekly time sheet; and
- The employee reimburses the County for any payments or fees received as a result of such jury service less any meal or travel expenses.

The County will reassign shift workers to the day shift during jury duty leave.

Witness Duty Leave of Absence

The County is aware that employees may be subpoenaed to appear as witnesses in trials before the court. The County will provide employees with a paid leave of absence for matters stemming from their employment. For personal matters, employees will use available personal days or vacation days.

Unionized Employees

Jury leave for unionized employees will be governed by the provisions of the applicable collective bargaining agreement.

Appearance

Each employee is expected to dress appropriately for the job. The following factors are relevant to determining appropriate dress:

- nature of work
- safety, including necessary precautions when working with or near machinery
- nature of employee contact with the public and the normal expectations of outside parties toward employees
- practices of others in similar jobs
- consideration of the image the County wishes to project

This policy incorporates, by reference all references to uniform and dress contained in all Collective Bargaining Agreements in force between the County and its employees. Failure to abide by the terms of such agreements shall be deemed improper conduct. Additionally some Departments, such as the Sheriff's Office, may have more detailed and restrictive rules governing appearance. Employees are required to abide by applicable Department rules.

Absenteeism and Tardiness

Regular attendance at work, reporting on time, and completing the required hours of work are necessary for each employee so that the County may meet its commitments to its residents. Employee absences place an additional burden on the remaining work force and seriously affect the County's ability to service its residents. Management recognizes that circumstances beyond the employee's control may cause him or her to be absent from work for all or part of a day. The County, however, will not tolerate unexcused absence or tardiness.

All employees are expected to come to work regularly and on time and to promptly notify their immediate supervisor or other management designee by personal telephone conversation when they are unable to do so. Unless prevented by specific circumstances, the employee must provide notification at least one hour prior to the beginning of work for his or her position. In twenty-four-hour shift operations, notice must be given a minimum of one hour before the employee's starting time, unless extenuating circumstances prevent such notification. Attendance and punctuality will be considered, among other factors, in the employee's performance review.

If an employee needs to leave work early, the employee must receive permission from his or her supervisor to leave prior to the regularly scheduled departure time.

An employee who is absent from duty for five or more consecutive working days without approval or notification or fails to return to work for five or more consecutive working days following an approved leave of absence shall be deemed to have voluntarily resigned from their employment.

To minimize the negative impact on both employees and County residents, Department Heads will review employee time records to identify chronic absenteeism and/or tardiness problems.

Employees who exhibit attendance and/or tardiness problems will be subject to established progressive disciplinary procedures.

Alcohol and Drug-Free Workplace

The County of Salem is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any County employee improperly consumes alcohol or illegally uses drugs on the job, comes to work under their influence, or possesses, distributes or sells alcohol or drugs in the work place. Therefore, the County has established the following policy:

- (1) It is a violation of County policy for any employee to possess, sell, trade, or offer for sale alcohol or illegal drugs or otherwise engage in the consumption of alcohol or illegal use of drugs or other substance on County premises, in County vehicles, or while on County business.
- (2) It is a violation of County policy for anyone to report to work under the influence of alcohol, illegal drugs or illegally used prescription drugs. (Nothing in this policy, however, precludes the appropriate use of legally prescribed medications).
- (3) Violations of this policy are subject to disciplinary action up to and including termination.

Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who may have an alcohol or drug problem to seek help.

Employees Excluded from Policy

In keeping with U.S. Department of Transportation requirements, the County has adopted testing practices for applicants for positions that require a Commercial Drivers License ("CDL") and for employees holding Commercial Drivers Licenses ("CDL") to identify persons who improperly consume alcohol or use illegal drugs either on or off the job. All applicants for positions that require a CDL license and all employees whose job requires them to possess a CDL license shall be excluded from this Alcohol and Drug-Free Workplace policy. Instead, they are covered by the County's Drug and Alcohol Policy for Employees Required to Possess a Commercial Driver's License. Employees hired with the understanding that they must obtain a CDL license will be covered under this Alcohol and Drug-Free Workplace Policy until they obtain their CDL license.

All drug testing of law enforcement applicants and employees shall be in accordance with the New Jersey Attorney General's Law Enforcement Drug Testing Guidelines and the Salem County Prosecutor's Office. All alcohol testing of law enforcement employees shall be in accordance with this policy.

Alcohol and Drug-Free Workplace (cont'd)Drug and Alcohol Testing

The County adopts pre-employment drug testing, reasonable suspicion drug and alcohol testing, and post-accident drug and alcohol testing.

Drug testing will be conducted through split-sample urinalysis while alcohol testing will be conducted through breath or saliva screening. All testing will be conducted in accordance with the procedures set forth in 49 CFR Part 40. Testing will be conducted by an independent medical facility chosen by the County.

Drug screening will test for the drugs on the SAP-10 Panel. These drugs are: Amphetamines Cocaine Metabolite (Benzoylcegonine), Opiates, Phencyclidine (PCP), THC (Marijuana), Barbiturates, Benzodiazepines, Methadone, Methaqualone, and Propoxyphene. The County adopts NIDA cutoff standards to determine positive results for initial and confirmation tests. An alcohol concentration of 0.08% or greater, or 0.04% or greater provided that two and one-half hours or more have elapsed from the time the employee reported to work, constitutes a positive alcohol screening test.

If an employee receives a positive drug test result, the employee can request a second drug test from a split sample at the employee's own cost. If the results of the second test conflict with the first, the employer will schedule a third and final test at a mutually agreed independent medical lab. All parties will be bound by the result of the third and final test. Both parties will share the cost of the third test. If a false positive test result is proven to have occurred, the cost of the second test and one-half of the cost of the third test will be reimbursed to the employee.

A. Pre-Employment Drug Testing

All job applicants extended a conditional offer of employment for a position with the County will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. The County will not discriminate against applicants for employment because of a past history of alcohol or drug abuse. Therefore, individuals who have failed a pre-employment drug test may initiate another inquiry with the County after a period of no less than six months, but must present themselves drug-free. The County will cover the cost of pre-employment drug testing.

B. Reasonable Suspicion Drug And Alcohol Testing

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing when there is reasonable suspicion to believe that an employee is under the

Alcohol and Drug-Free Workplace (cont'd)

influence of alcohol or using illegal drugs. The County will cover the cost of reasonable suspicion drug and/or alcohol testing.

C. Post Accident Alcohol and Drug Testing

It shall be a condition of employment for all employees to submit to alcohol and/or drug testing when an employee is involved in an on-the-job accident where personal injury or damage to County property occurs. The County will cover the cost of post accident drug and/or alcohol testing.

Refusal to Test

Any employee who refuses to comply with a request for alcohol and/or drug testing shall be considered as having produced a positive test result and will be discharged. Any employee who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be terminated. If the laboratory detects that a substance has been added to the sample to interfere with the normal testing process, the employee will be deemed to have refused to test and the same sanctions will apply.

Prescription Drugs

If an employee takes an over-the-counter medication or a prescribed drug, the employee should consult his or her prescribing medication professional to determine whether the drug may have an adverse effect on his or her personal safety or job performance while at work. If it is reasonably foreseeable that the effects of the medication pose a danger to the employee's safety, or the safety of a co-worker or any other person, or otherwise impair the employee's ability to perform his or her job, the employee must inform his or her Department Head.

The Department Head may require the employee to produce acceptable medical documentation of the employees' ability to safely and properly perform all of their job duties, if the Department Head has a reasonable belief, based on the objective evidence available, that the employee's ability to perform his or her job is impaired or that the employee poses a threat to the health and welfare of him or herself or others. Failure or refusal by an employee to properly inform the Department Head or to produce acceptable medical documentation, upon request, may result in discipline, up to and including termination of employment.

Alcohol and Drug-Free Workplace (cont'd)Right to Inspect

The County reserves the right to inspect, investigate, and search for controlled substances at any time, with or without prior notice, on or in any and all County premises and vehicles. Therefore, employees should have no expectation of privacy in their personal workstations, lockers or County vehicles. Refusal to cooperate with any inspection, investigation, or search that is authorized by a County representative shall result in termination of employment. Nevertheless, the County will not conduct any search that violates an employee's Constitutional rights.

Rehabilitation

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and alcohol/drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the improper consumption of alcohol or illegal use of drugs is incompatible with employment with the County. Therefore, the County strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the Department Head or any other management representative with whom the employee feels comfortable.

The County recognizes the health implications of alcohol abuse and drug use on its employees and considers it a treatable illness. As with other illnesses, the County's primary objective is to assist in the employee's rehabilitation. The County designed this policy to encourage employees to voluntarily seek help for any substance abuse problems.

An employee may voluntarily admit to the County, through his or her Department Head or any other supervisory employee with whom the employee feels comfortable, that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the County will provide the employee with information on where he or she may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the cost of such outside services is the employee's responsibility.

An unpaid leave of absence will be granted for a reasonable period for treatment. The County will make every effort to hold the employee's position during the rehabilitation process. The County will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who voluntarily enter rehabilitation on more than one occasion, however, shall be subject to disciplinary action up to and including immediate termination. It is a condition of employment for employees to submit to alcohol and/or drug

Alcohol and Drug-Free Workplace (cont'd)

testing as part of a follow-up program for treatment for drug and/or alcohol abuse. The County does not cover the cost of follow-up alcohol or drug testing.

It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. If a substance abuse problem is disclosed to the County only after there has been (1) a positive alcohol or drug test, (2) a violation of a County policy, rule or standard, (3) a violation of law, or (4) a violation of this policy, the County will not consider the employee to have voluntarily come forward.

As a condition of employment, employees must abide by the terms of this policy and must notify the Director of Human Resources in writing of any conviction of a violation of a criminal drug statute occurring in the work place no later than five calendar days after the conviction.

Bonding of Employees

All employees are covered by a blanket fidelity bond to insure proper accountability for all monies and property received by virtue of their position or employment.

A separate Fidelity and Fiduciary Bond is provided for some employees based on individual duties and financial responsibilities.

Bulletin Boards

Bulletin boards reserved for specific purposes are maintained in several locations for the information of employees, the unions, and the general public.

Employees should consult the bulletin boards frequently for, among other things:

- Employee announcements
- Internal memoranda
- Job openings
- County announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information.

The Department Head retains the right to remove inappropriate materials from any bulletin board.

Changing Vital Information

It is the responsibility of each employee to notify the Human Resources Office and the Payroll Office promptly, in writing, of any changes of vital information including but not limited to:

- Name
- Address
- Telephone Number
- Marital Status
- Dependent Children
- Change in status for health care programs
- Change in status for dental coverage
- Change of beneficiary on pension or life insurance policies
- Change in tax status for tax withholding purposes
- Persons to notify in case of emergency

Changes may be accomplished by completing and filing an Employee Information Change Form with the Human Resources Office and by completing the necessary insurance and pension forms with the Payroll Office. Employee Information Change Forms are available in the Human Resources Office. When necessary, the Payroll Office will provide the employee with additional proper forms to change beneficiary, income tax deductions, etc.

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Changing Vital Information

Employee Information Change Form

Employee Name: _____ Department: _____

Indicate the Change You Are Reporting By Checking the Appropriate Line:

- _____ Name
- _____ Address
- _____ Phone Number
- _____ Birth of Child
- _____ Death of Covered Family Member
- _____ Marriage
- _____ Divorce
- _____ Child's Status as Dependent (for tax or insurance coverage benefits)

Please provide details relating to the change you have check above, including the date of the change.

I authorize these changes to be effective _____

Signature of Employee: _____ Date: _____

Computers, Internet and E-Mail Usage

The availability and use of the personal computer, access to the Internet and use of e-mail within the work environment has provided many opportunities to enhance productivity and effectiveness. Nevertheless, these new technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can have damaging effects on the County and employees using these electronic systems. Therefore, all County employees must abide by the guidelines set forth in this policy when using personal computers, services of external databases and information exchange networks, and voice mail, mobile digital terminals and related electronic messaging devices.

Definition

Electronic Messaging Device ("EMD"): EMDs include personal computers, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards and Internet services, mobile digital terminals and facsimile transmissions.

General Principles

1. Transmission of electronic messages and information on communication media provided to employees must be treated with the same degree of propriety and professionalism as official written correspondence. County supplied e-mail accounts and Internet IDs should not be used for anything other than County-sanctioned communications.
2. Correspondence via e-mail is not guaranteed to be private. Confidential e-mails should not be sent without encryption or password protection. If the County determines that encryption software is appropriate, encryption software must be provided or approved by the Department Head. The Department Head must be given a copy of all passwords, and encryption and decryption "keys."
3. Use of EMDs will be monitored for security and/or management reasons. Users are subject to limitations on their use of such resources.
4. The distribution of any information through EMDs is subject to all policies and procedures applicable to dissemination of information by non-electronic means. The County reserves the right to determine the suitability of this information.
5. Use of any EMDs for personal use is discouraged by the County except in a limited role in compliance with this policy. Employees should use their discretion on its use, while understanding that the County reserves the right to monitor such usage. Personal use of County EMDs must not amount to more than de minimus occasional use and must be restricted to authorized break times. More than limited incidental personal use will

Computers, Internet and E-Mail Usage (cont'd)

subject an employee to discipline. Employees may use County personal computers for professional and career development purposes in keeping with other restrictions of this policy and with prior Department Head approval.

6. No employee shall access any file or database unless they have a need and a right to such information. Additionally, personal identification and access codes shall not be revealed to any unauthorized source.
7. To avoid any breaches of security, employees must log off any personal computer which has access to the County's computer network, electronic mail system, the Internet or sensitive information whenever they leave their workstation.

Usage Rules

The County prohibits any employee using County EMDs resources from:

1. Viewing, downloading and/or transmitting materials (other than that required for law enforcement business) that involve the use of obscene, hateful or other objectionable materials; viewing, downloading and/or transmitting any material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person; viewing, downloading and/or transmitting sexually-explicit images, messages, ethnic slurs, racial epithets or any thing which could be construed as harassment or as disparaging of others, whether or not a recipient has consented to or requested such material;
2. Violate policies prohibiting harassment, workplace violence or sexual harassment;
3. Sending or receiving e-mails that are unrelated to County business activities other than occasional personal communications that otherwise comply with this policy;
4. Soliciting business for personal gain or profit;
5. Soliciting for religious, political, charitable or other causes, unless the employee conducts such solicitation as part of their job responsibilities;
6. Using EMDs for any illegal purpose;
7. Representing personal opinions as those of the County;
8. Making or posting indecent remarks, proposals, or materials;

Computers, Internet and E-Mail Usage (cont'd)

9. Uploading, downloading, or otherwise transmitting commercial software or any copyrighted materials belonging to parties outside of the County, or licensed to the County. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. The County may remove any software for which proof of licensing (original disks, original manuals and/or license) cannot be provided. Privately owned software may be loaded on County computers if it is necessary for business purposes and if it is properly licensed. Personal software will be removed if it conflicts with hardware or software, interferes with the ability of other employees to use the computer or occupies excessive storage space;
10. Downloading or installing any software or electronic files (including sound and video files and files attached to e-mail messages), software, or other materials from the Internet or other external sources onto any computer without the prior approval of the Department Head. After receipt of approval from the Department, and before being entered into any personal computer, floppy drive and/or shared system, material installed/downloaded must be scanned for viruses with virus protection software approved by the County. In no case shall external materials or applications be downloaded directly to any shared (network) drive without consulting the Department Head;
11. Making any hardware enhancements or additions to County owned equipment without the prior approval of the Department Head. The Department Head is responsible for determining proper installation procedures if approved;
12. Intentionally interfering with the normal operation of the County's computers and/or network, including the propagation of computer viruses and sustained high volume network traffic which substantially hinders others in their use of the network;
13. Revealing or publicizing confidential County information. Confidential, proprietary or sensitive information may be disseminated only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to the transmittal of personnel information, such as complaints, grievances, misconduct, disciplinary information, medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.
14. Examining, changing or using another person's files, output, or user name without explicit authorization;

Computers, Internet and E-Mail Usage (cont'd)

15. Sharing passwords or permitting unauthorized persons to use the County's electronic mail system;
16. Performing any other inappropriate uses;
17. Wasting time on non-County business, including playing games on the internet or "surfing" the Web on County time.

No Expectation of Privacy

Employees shall use computer equipment and on-line access for County purposes only, except for limited personal use in accordance with this policy. EMD equipment and its contents, and all information gathered via on-line resources belong to the County. Additionally, all information stored on County computers belongs to the County. Except as necessary for limited personal use, personal material and electronic mail should not be created or stored on the County's computers. The County may inspect all computers and information at any time as necessary for the conduct of its business. Law enforcement EMD is subject to additional restrictions. The appropriate law enforcement executive, such as the Prosecutor, Sheriff or Warden, must provide written pre-approval for any access to law enforcement EMD.

The County retains the right to monitor all on-line communications to ensure that employees pursue only appropriate business purposes. Monitoring may include, but is not limited to, review of e-mail content and attachments, e-mail addresses, tracking Internet sites visited by each user, the frequency and time spent on the Internet by each user, blocking access to certain types of sites, and ensuring compliance with this Policy. Employees must have no expectation of privacy in any EMD equipment or its contents.

Employees learning of any misuse of the County's Internet access or e-mail resources shall notify the Department Head. Users who violate this policy may be subject to disciplinary action up to and including termination of employment. The County also retains the right to report any illegal violations to the appropriate authorities.

Social Networking Use

County employees may not use County equipment at any time for personal purposes, to engage in internet communication by posting, commenting, responding, approving, endorsing or otherwise acknowledging or initiating communications by e-mail, texting, or any other electronic or telephonic means to or from interactive internet sites or e-mail addresses. During work hours (excluding authorized breaks) County employees may not use their own equipment for any such prohibited communications.

Computers, Internet and E-Mail Usage (cont'd)

Official communications via the internet by County employees as part of the performance of duties which communicates the established positions and policies of the County government are permitted only as directed by or under the supervision of supervisor or department head.

Conduct of Employees

Employees are expected to conduct themselves in a manner which exhibits a respect for the rights and property of the County, fellow employees, and residents. While many of these behaviors are addressed under specific policies, the following list, while not all inclusive, further identifies examples of inappropriate behavior:

- Insubordination or the refusal by an employee to follow management's instructions concerning job-related matters
- Serious breach of discipline
- Neglect of duty
- Incompetency or inefficiency or incapacity
- Fighting or creating a disturbance among fellow employees
- Using obscene, abusive, or threatening language or gestures
- Sleeping on duty
- Use of intoxicants, narcotics or controlled substances without a prescription, being intoxicated or narcotized while on duty
- Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officers of the police department who shall be absent from duty without just cause for a period of five days shall cease to be a member of the police department, as provided by N.J.S.A. 40A:14-122, as amended.
- Using leave for purposes other than for which it was granted
- False statements, misrepresentation, or fraud in application form or any other matter concerning employment
- Chronic or excessive absenteeism
- Disorderly or immoral conduct
- Theft, bribery or unauthorized use or possession of County, co-worker or resident property
- Disregarding safety or security regulations
- Falsifying or otherwise altering County records or reports, such as applications for employment, medical reports, production reports, time records, expense accounts, absentee reports, or shipping and receiving records
- Negligence or willful damage to public property or wasteful, unnecessary or unauthorized use of County supplies, especially for personal purposes
- Conviction of a crime
- Failure to maintain confidentiality of employer information
- The use or attempted use of one's authority or official influence to control or modify the political action of any employee or engaging in any form of political activity during working hours
- Infringement of policies defined in this manual or failure to comply with departmental rules and regulations

Conduct of Employees (cont'd)

- Rude or disrespectful conduct toward the public
- Failure to maintain workplace and area cleanliness and orderliness
- Smoking where prohibited by ordinance, law or County rules
- Improper attire or inappropriate personal appearance
- Engaging in any harassment or discrimination based upon a protected class
- Violation of County policies on solicitation or distribution
- Possession of firearms or other weapons on County Property or while on official business, unless otherwise authorized by the County
- Other actions disruptive to the effective, efficient, economical operation of County affairs
- Conduct unbecoming a public employee.

It is important that all employees perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy, or engage in inappropriate behavior. Except as otherwise provided by a collective bargaining agreement or by law, employment may be terminated at will by the employee or the County at any time with or without cause and without following any system of discipline or warnings.

Nevertheless, the County may choose to exercise its discretion to use disciplinary measures that are less severe than termination in certain cases. Examples of such less severe forms of discipline include verbal warnings, written warnings, suspension, probationary action, and demotion.

Confidentiality of Personnel Records

The Director of Human Resources will ensure that adequate personnel records are maintained for each County employee in accordance with Department of Personnel Regulations. (N.J.A.C. § 4A:1-2.2.) These records shall include: dates of appointments, transfers, promotions and terminations, job titles, salaries, commendations, complaints, performance evaluations, disciplinary actions, amount of leave accrued and used, a record of the employee's training and other related matters, and attendance records. A new employee's employment application, letters of reference, reference verification and any other supporting documents will be included in the personnel file. Confidential medical records are maintained in a separate file. (N.J.A.C. § 4A: 4-6.5(b)). Official personnel records are maintained in the Human Resources Office.

Personnel records, other than name, title, salary, compensation, dates of service, reason for separation, and information on specific educational or medical qualifications required for employment, are confidential and are available only to the employee, an authorized representative of the employee, and the Director of Human Resources. Personnel records are available to the County Administrator, other members of management, the County's legal counsel, and members of the governing body on a need-to-know basis in connection with official duties. Additionally, the County will make the records available as required by law. Employees are entitled to review the contents of their personnel folder, except for reference checks and other information provided to the County in the hiring process, but may not review the contents of other employees' personnel file.

Employees who want to review their personnel folder should request an appointment from the Human Resources Office. Employees should provide the County with at least twenty-four hours advance notice of his or her need for an appointment to review his or her personnel file. To protect the integrity of the personnel files, the employee will review the personnel file in the presence of a Human Resources Office representative. Employees will not be permitted to photocopy the contents of their folder, take personnel folders outside of the Human Resources Office or remove any documents from the folder.

Employees whose duties require access to personnel documents or information must maintain their confidentiality. Violators of this confidentiality will be subject to disciplinary action up to and including termination.

Unionized Employees

Unionized employees will only be entitled to review their personnel file in accordance with applicable provisions of their collective bargaining agreement.

Contagious/Life Threatening Illness Policy

The County is committed to providing and maintaining a healthy and safety work environment which allows all employees to perform their jobs in a safe and productive manner. The County respects the dignity and worth of every employee through its Equal Opportunity Employment statement, which explains its policy and practice with respect to prohibiting discrimination in every phase of employment.

The County provides support for individual employees who may be facing the trauma of a life-threatening or catastrophic illness. The purpose of this policy is to support the physical and emotional health of all employees, minimize disruptions of productivity and morale caused by the presence of a worker with a life-threatening illness, and demonstrate the County's continued commitment to its affirmative action goals related to physically disabled employees.

If an employee has learned that he or she has a contagious or life threatening illness, including but not limited to HIV/AIDS, the employee should take all steps to protect further spread of the disease or illness. When appropriate, the employee's Department Head should be notified of any illnesses that may affect the health, safety, and welfare of any co-employee or member of the general public.

Employees with such conditions, who are able to meet appropriate standards and whose continued employment does not pose a threat to their own health and safety or that of others are assured equal employment opportunities and reasonable accommodations in their employment. If an employee is able to work, he or she is expected to be productive. If the individual cannot work, then he or she may be eligible for disability benefits.

Consistent with the concern for employees with life-threatening illness, the County offers the following resources through the Human Resources Office.

- 1) Employee education and information on terminal illnesses and specific life-threatening illnesses.
- 2) Referral to agencies and organizations which offer supportive services for life-threatening illnesses.
- 3) Consultation in assisting employees in efficiently managing health, leave and other benefits.

The County encourages employees who need these resources to contact the Human Resources Office.

Credit Information

Any request for credit information concerning a current or former County employee must be referred to the Payroll Office. Upon receipt of a written request, the Payroll Office shall only confirm employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment.

A current or former employee may authorize the County to release additional information. The County will only release additional information if the County receives the request in writing and the current or former County employee completes the Authorization to Release Information for Credit Inquiries form and provides a signed original to the Payroll Office.

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Credit Information

Authorization to Release Information
for Credit Inquiries

Employee Name: _____ SSN: _____

I, _____, authorize the County of Salem to release any and all information and documentation concerning me to a representative of _____ for the purpose of assisting _____ in assessing my credit history. This information includes, but is not limited to (*describe with particularity*):

In exchange for the County of Salem's full and honest disclosure of information and documentation, I hereby release the County of Salem from any and all claims I may have against the County of Salem or its agents for statements, information or documents the County provides to _____ in response to its inquiries.

Signature of Employee: _____ Date: _____

Dispute Resolution

The County encourages employees who feel they have been treated unfairly or contrary to the County's policies to discuss their problems with management. As a result, the County establishes the following open door policy to provide employees with a procedure to express their concerns.

STEP ONE

An employee who believes he or she has been treated unfairly or not in accordance with the County's policies, may request a meeting with his or her supervisor to bring the matter to the supervisor's attention. If the employee's supervisor is the object of the concern, the employee should meet with the supervisor's superior to discuss the problem.

Within five (5) working days after the concern is brought to the attention of the supervisor or other appropriate person, that person shall provide the employee with a verbal response to the problem.

STEP TWO

If the employee believes the verbal response is unsatisfactory, the employee should submit a written summary of the problem to the Department Head. The written summary should set forth the date of any incident and describe the problem in detail.

The Department Head will review the written summary and investigate the employee's concerns. The Department Head will provide the employee with a response within five (5) working days. If the matter is not resolved to the employee's satisfaction he or she may proceed to Step Three.

STEP THREE

The employee may request the Director of Human Resources, in conjunction with the Department Head, to review the response in Step Two. The employee may present his or her concerns personally before the Director of Human Resources, and have the review conducted based on any relevant records or, if the employee so desires, have another employee present his or her case.

The Director of Human Resources will present its decision to the employee within ten (10) working days. The Director of Human Resources' decision is final and binding.

This dispute resolution procedure is available to all employees. It is not intended to replace or impair negotiated grievance procedures.

Emergency Closing of Offices

If it is necessary to close County offices because of adverse weather or other conditions, the decision will be made by the Freeholder Director in conjunction with the Office of Emergency Management. Generally, County Government will be open for business during inclement weather. All employees in twenty-four hour operations and NJ Transit must report to work unless specifically excused.

Employees are requested to call (856) 935- 7510 Ext. 8888 after 7:00 a.m. for employee announcements, such as weather related closings, or delayed openings.

The County has selected three local radio stations as a secondary means for announcements.

- KYW News Radio (1060 AM). The County of Salem's Code is "C547," which will be followed by the appropriate message. KYW does not promise a specific time in which it will air announcements.
- WSNJ (1240 AM) will air County of Salem closing usually on the half hour. WSNJ no longer offers announcements on their FM station.
- WDEL (1150 AM) and WSTW (93.7 FM) will air County of Salem closings.

To the extent possible within the confines of business operations, Department Heads should be flexible with employees who may be delayed in arriving at work due to adverse weather conditions and those who may request vacation.

Emergency Service Volunteers

Employees are encouraged to become members of volunteer fire companies or rescue squads. Employees who are volunteer members of a fire department and/or ambulance squad should notify their immediate supervisor of their intent to serve in that capacity.

Employees who are volunteer members of a fire department and/or ambulance squad shall be excused from attendance during their regular working hours for fire or rescue squad emergencies, except during County emergencies, and only for the duration of the fire or rescue squad emergency. Employees who receive a call during working hours or which will necessitate their absence during working hours must notify their Department Head/supervisor immediately, prior to responding to the call, unless notification would impair the employee's ability to timely respond to the emergency.

Employees who respond to emergency calls during work hours are expected to return to their work stations as soon as possible after the emergency has been cleared. Employees who respond to emergency calls must, upon return to work, notify their Department Head/supervisor of the nature of the emergency and the length of their absence.

The Freeholder Director or Emergency Management Coordinator or their designee are charged with declaring County-wide emergencies and have the authority to direct all County resources until the County -wide emergency is cleared.

If more than one member of a department or office is a member of the above organizations, the Department Head may limit the response to insure that County functions are not being unusually interrupted, unless the magnitude of the emergency requires all members of the above organizations. Employees working on an overtime basis for the County will not be excused for firefighting or rescue squad duties and should make necessary arrangements in advance so that other fire company or rescue squad members will be available. An employee must not respond to a call if leaving the job site might cause a fellow employee to be endangered.

Employee Dating PolicyPolicy

The County strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

Procedures

1. During working time and in working areas employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
2. During non-working time, such as lunches, breaks and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on County premises, whether during working hours or not.
4. Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate provisions of the County disciplinary policy which may include counseling for minor problem. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
6. Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the immediate supervisor or the Director of HR. This disclosure will enable the County to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
7. Where problems or potential risks are identified the County will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing,

Employee Dating Policy (cont'd)

promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.

8. In some cases other measures may be necessary such as transfer to other positions or departments.
9. Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.
10. Continued failure to work with the County to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for immediate termination. The organization's disciplinary policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.
11. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
12. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.
13. Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should make their feelings known to the Director of HR or other designated individual.

Employment References

To ensure that individuals who join the County are well qualified and have a strong potential to be productive and successful, it is the policy of the County to check the employment references of all applicants at the County's discretion.

Employees should not, under any circumstances, provide another individual with information regarding a current or former County employee. Any employee, including Department Heads, who receives a request for reference information should forward the request to the Human Resources Office. Generally, unless otherwise required by law, the County, through the Human Resources Office, will only confirm employees' name, title, salary, compensation, dates of service, reason for separation, if applicable, and specific educational or medical qualifications required for employment. The County's response to a request for reference information shall be communicated in writing only.

The County does not honor oral requests for employment references. All prospective employers must submit employment reference requests in writing.

A current or former employee may authorize the County to release additional information. Unless otherwise required by law, the County will only release additional information if the current or former County employee completes the Authorization to Release Information form and provides a signed original to the Human Resources Office.

Gratuities

The County intends to discourage the public from offering gratuities to public employees. Therefore, employees shall neither accept nor solicit gratuities and shall discourage the practice wherever possible.

When a particular situation makes the refusal or return of a gratuity of minor value awkward or difficult, or where the gratuity is of major value, the employee shall submit a written report on the matter to his or her supervisor. The supervisor shall file the report with the Human Resources Office. This procedure is intended solely to protect the employee and any such report shall not be used in any way against the employee. Failure to file such report within seven days of occurrence of the incident shall be grounds for disciplinary action.

VII. GENERAL RULES AND REGULATIONS

POLICY

Hours of Work

The County of Salem Administration Building is open for business from 8:30 a.m. to 4:30 p.m., Monday through Friday.

Identification (ID) Badge Policy

The County of Salem recognizes the need to provide proper identification for its employees and other individuals that represent the County to the public. The following guidelines have been established in regard to the administration of the Identification Badge Program in order to provide uniformity among County employees and representatives. This identification badge will be for identification purposes only and will not allow entrance into controlled facilities. All County of Salem Government employees are required to wear badges at all times while conducting business on behalf of the County of Salem Government. The County of Salem Identification Badge Program is administered and maintained through the Salem County Sheriff's Office.

Procedures

All County of Salem employees, including full-time and part-time employees, will be issued picture identification badges. The Sheriff and Prosecutor of the County of Salem will designate those employees within their departments that will be included in this policy.

Badge Logo and Design

All identification badges will have a consistent logo and format design. The design and format are the property of the County of Salem and may not be reproduced.

Badge Content

Name: All badges will include the individual's photograph, first and last name as listed on the payroll logs, unless specifically approved by the Human Resources Director and Department Head.

Department: The name of the employee's department will appear on the badge.

Credentials: Credentials will be issued on badges **only** for employees in high public contact positions (i.e. RN) and as required by law.

Issuing Identification Badges and Replacements

The Salem County Sheriff's Office will issue all County of Salem Government identification badges. The initial issuing of badges includes the following items:

- Badge
- Clear Plastic Cover
- Break Away Lanyard
- Basic Badge Clip

Identification (ID) Badge Policy (cont'd)

Initial Badges:

After the initial County-wide issuance of badges, new employees will receive badges at the benefit enrollment session occurring on their first day of employment. The new employees will be required to complete and sign the Employee ID Badge Request Form. The Employee ID Badge Request Form will be kept on file in the Human Resources Department. The Salem County Sheriff's Office will maintain the identification badge database.

Replacement Badges:

The Salem County Sheriff's Office will issue replacement identification badges using the existing database information. Upon request, replacements will be issued from the Salem County Sheriff's Office by appointment only. The first replacement badge will be issued at no charge to the employee. Subsequent replacement badges will be issued at a cost of \$5.00 to the employee. Checks should be made payable to the County of Salem. Replacements will be issued free of charge for employees that transfer from one department to another. The Employee ID Badge Request Form will be kept on file in the Human Resources Department. A copy of the replacement request form should be forwarded to the Identification Bureau of the Salem County Sheriff's Office for an appointment to be scheduled.

Displaying Identification Badges

Identification badges are to be worn at all times while on County property and when conducting official County business. All badges are to be displayed at waist level or above, facing forward in plain view and not obstructed by clothing. Badges hanging or clipped below the waist are not acceptable. Should an employee wish to obtain a lanyard or alternative clip other than the standard clip and clear badge holder distributed by the Sheriff's Office, these additional items will be obtained at the employee's own expense and must receive approval from the employee's Department Head *prior* to usage.

The requirement may temporarily be waived at the department's discretion when wearing the ID presents a safety issue (e.g. Police Officer of Refuse Driver). However, the employee must carry the ID at all times during work hours when acting in an official capacity. It can be placed in a pocket or wallet.

Identification (ID) Badge Policy (cont'd)

Non-Compliance

Disciplinary action for non-compliance to the County of Salem's Identification Badge Policy shall include a reminder conversation on the first and second offense, verbal warning on the third offense and a written warning on the fourth offense.

Care and Use of Identification Badges

Employees are individually responsible for their assigned Identification Badges. If lost or damaged due to the fault of the employee, the employee will be responsible for the replacement badge.

If an Identification Badge is lost or damaged, the employee should notify their immediate Supervisor and the Human Resources Department.

Employees shall not allow any other individual to use their identification badge. Such action may result in disciplinary action as determined by the Human Resources Director and Department Head.

Identification Badges remain the property of the County of Salem and must be returned to the Human Resources Department upon separation from the County.

Badges shall not be altered or defaced in any way.

Identification (ID) Badge Policy (cont'd)**County of Salem
Employee ID Badge Request Form**

Name _____

Date _____

Department _____

Job Title _____

Employment Status (FT, PT, Seasonal) _____

Date of Hire _____

Type of card:

☐ New☐ Replacement☐ Yes, I have had a replacement before.☐ No, I have not had a replacement before.

Reason for replacement

☐ Lost/Stolen/Damaged☐ Expired☐ Department change☐ Name change☐ Wear and tear

I am aware that replacement of a lost, stolen or damaged ID is subject to a fee of \$5. Replacements due to department change and name change will not be assessed a fee. Upon termination, retirement or suspension, all IDs must be turned into your supervisor. The ID badge policy, which includes the responsibilities of card holders, can be found in the County of Salem Policies and Procedures Manual as well as on the County's intranet.

Signature _____

Date _____

All checks and money orders should be made payable to **County of Salem**.

Payment received:

☐ Check☐ Cash

Leaving on County of Salem Business During Work Day

All personnel who have approval to leave the County of Salem premises for appointments with residents, meetings, training or authorized business errands must conduct County business during regular business hours as designated by the Administrator/Clerk of the Board.

No employee may leave the office for any reason without prior authorization or approval from their supervisor, Department Head, Director of Human Resources or the Administrator/Clerk of the Board.

When leaving, the employee must note his or her departure time, anticipated return time and destination. Upon returning, the employee must note his or her return time.

Employees are expected to return to the office when County business is completed, unless they have received prior authorization or approval.

Literature and Solicitation

The County recognizes that employees may have interests in events and organizations outside the workplace. Solicitations, ticket sales, requests for contributions, distributions or literature and similar activities can seriously interfere with a safe, productive working environment. These activities are not normally allowed.

Exceptions may occasionally be granted to collect money for presents, flowers, parties, charitable donations or relief of hardship. In these exceptional cases, permission must be obtained from the appropriate supervisor. All approved solicitations shall be made in non-working areas while all parties are off duty or on authorized breaks.

In considering requests for exceptions, the supervisor should consider these factors:

- Whether the activity would interfere with work performance, official communications or other necessary agency activities. Should questions arise, the supervisor should consult with the Director of Human Resources.
- Whether the activity is required, governed or prohibited by law. Refer any questions to legal counsel.
- The importance of the activity to the work force as a whole. As examples, a recreation program for employees would normally justify an exception; an announcement by an outside organization would not.
- Whether the activity would affect the image of the County as seen by residents or visitors.

The supervisor may impose any conditions and restrictions necessary to meet these standards. For important parameters regarding solicitation activities, see the County Communications on Religious and Political Matters Policy.

If employees have a message of interest to the workplace, they may submit it to their Department Head for approval. All approved messages will be posted by the Department Head or his or her designee. The posting of written solicitations on County bulletin boards is restricted and requires Department Head approval.

In an effort to assure a productive and harmonious work environment, persons not employed by the County may not solicit or distribute literature in the workplace at any time for any purpose.

Outside Employment

Employees may hold jobs in addition to their job with the County subject to certain restrictions as outlined below. Full-time employees are strongly encouraged to report outside employment in writing to the Human Resources Director. A record of outside employment shall be maintained in the employee's personnel file. Law enforcement personnel and other employees must also comply with Department-specific regulations on outside employment.

The County requires that employee activities away from the job must not conflict with the employee's responsibilities to the County. All employees are expressly prohibited from conflicts of interest as set forth by the Local Government Ethics Law (See Ethics Guidelines in Chapter I). This County also prohibits employees from accepting outside payment for work which is supposed to be done as part of their County jobs, the unauthorized use of County tools or equipment, and the unauthorized use of any confidential information that is not generally available to the public. In addition, employees are not permitted to conduct any outside business during paid working time.

Procedure for Notification of Outside Employment

Employees who engage in outside employment, including self-employment, are strongly encouraged (but not required) to submit a letter to the Human Resources Director providing notice. The letter should state the name and address of the outside employer, the nature of the job, and the hours of employment. The Director of Human Resources retains the right to object to the outside employment if there is reasonable probability that such employment will present a conflict of interest. The Human Resources Office shall maintain all information regarding an employee's request for outside employment and the County's response in the employee's personnel file. Employees are encouraged to report any changes in their outside employment, including any increase in hours or change in the nature of work performed, in accordance with the procedure set forth above.

Employees may not, directly or indirectly, engage in any outside employment or financial interest which conflicts with his or her assigned County job. Examples include, but are not limited to, outside employment that:

- Involves working for an organization over which the employee exercises oversight as part of his or her County job (creating the appearance of a conflict of interest).

Outside Employment (cont'd)

- Involves employment with a firm that has contract with or does business with the County, if the employee's job with the County involves such business.
- Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job.
- Is conducted during the employee's work hours.
- Includes the use of County telephones, computers, supplies, or any other resources, facilities or equipment.

Any employee engaged in outside employment that conflicts with the requirements of this policy may be required to resign from such outside employment or be terminated if the employee refuses to resign.

Employees who have accepted outside employment shall not be eligible for paid sick leave when the absence is used to work on the outside job.

Performance Appraisal

The County recognizes that an employee job performance appraisal system is the basis for assisting in employee growth and development. The County requires supervisors to conduct performance appraisals to ensure that:

- (1) each employee receives feedback on objectives, accomplishments, strengths, and areas for improvement;
- (2) each employee receives advice from his or her supervisor on ways to improve performance and has the chance to identify with his or her supervisor areas where greater contribution is possible, or where either feels more development would be beneficial; and
- (3) essential information is recorded concerning strengths and weaknesses of all employees in relation to career development, including potential for advancement and suitability for other positions and training.

The performance appraisal provides the vehicle for a dialogue between the employee and the supervisor and ensures shared expectations of the requirements for the employee's job and the employee's performance in the job. Accordingly, the County will use a performance review/appraisal system for all employees.

During performance reviews, supervisors will consider, among others:

- Initiative, dependability and effort
- Knowledge of work
- Attitude and willingness
- Quantity and quality of work
- Disciplinary record
- Attendance and tardiness

An Employee Performance Appraisal Form will be used in reviewing and evaluating the job performance of employees on an annual basis. Employee Performance Appraisal Forms are available in the Human Resources Office. Supervisors must forward the completed Employee Performance Appraisal Forms to the Human Resources Office where it will be filed in the employee's personnel file.

VII. GENERAL RULES AND REGULATIONS

POLICY

Personal Visitors

Employees are strongly discouraged from entertaining personal visitors during work hours.

Political Activity

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. In accordance with State law, employees are prohibited from engaging in political activities while performing their public duties and from using County time, supplies or equipment in any political activity. Political activities include, but are not limited to, advocating the election or appointment of any candidate for office, verbally or otherwise, and soliciting funds for campaigns or campaign materials. Additionally, State law precludes employees from directly or indirectly using their position to control or affect the political action of another person.

In accordance with the Hatch Act and federal regulations, an employee whose principal employment is with a program financed in whole or in part by Federal funds or loans shall not:

- be a candidate for public office in a partisan election. This provision does not apply to the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs (see N.J.A.C. § 4A:10-1.2(b)(1), for exclusions to this rule).
- use his/her official authority to influence, to interfere with or affect election results or nominations for office.
- directly or indirectly coerce contributions from any County employee to support a political party or candidate.

See 5 U.S.C. § 1501 et seq. - The Hatch Act; N.J.S.A. § 11A:2-23; N.J.A.C. § 4A:10-1.2. Violations of either State or Federal laws are serious matters and such violations should not be taken lightly. Any employee engaging in such political activities during working hours will be subject to disciplinary action up to and including termination of employment. Employees who engage in political activities during their non-working hours must not represent themselves as spokespersons for the County.

Employees should report any violation of this policy to the Director of Human Resources. Any employee who has any questions about political activity laws should refer them to the Director of Human Resources in writing. For additional information, see County Communications on Religious and Political Matters Policy.

Prosecutor's Office

The Prosecutor and employees of the Prosecutor's Office must comply with the Code of Ethics for County Prosecutors' provisions on political activity.

Safety

The health and safety of all employees is a major concern of the County. The County's Safety Manual is incorporated by reference into this Personnel Policies and Procedures Manual in its entirety.

For the protection and welfare of employees, the County will insure its operations are in accordance with the safety provisions defined by the following:

PEOSHA (Public Employees Occupational Safety & Health Act)

Fire Prevention Bureau

New Jersey Department of Labor

It is essential that County employees perform their duties in a safe manner for the protection and welfare of all employees and the public.

Safety equipment issued to employees must be worn and/or used on the job. Failure to do so will result in disciplinary action for any employee and his or her supervisor. Specific safety rules for County employees may be developed by the Department Heads.

Some of the best safety improvements ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with the Department Head and/or bring them to the attention of the Director of Human Resources. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. The County prohibits reprisals against any employee who reports a safety concern or violation.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe conditions to their Department Head. Employees who notify their Department Head of an unsafe condition or safety hazard pursuant to this policy must complete a Report of Unsafe Conditions form to document the unsafe condition or safety hazard. Report of Unsafe Conditions forms must be completed immediately. Employees may obtain Report of Unsafe Conditions forms from the Human Resources Office. Employees who violate safety standards and who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how minor the injury may appear, employees should immediately notify their Department Head and complete Part 1 of the Incident/Accident/Illness Reporting and Investigation Policy Form. See Workers' Compensation Policy for additional details. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

Safety (cont'd)

No County employee shall carry or keep any firearm or any other weapon on or about his or her person while on duty unless carrying or keeping such weapon is a specific requirement of that employee's job responsibility.

First Aid

For first aid, employees should dial 9-1-1. First Aid boxes are located in designated areas.

Police or Ambulance Services

Employees should dial 9-1-1 to request police assistance or ambulance service.

Bomb Threats

Employees should dial 9-1-1 and evacuate the building according to police instructions.

Fire

- To report a fire, employees should call 911.
- Fire extinguishers are located throughout the buildings and are inspected regularly.
- The Fire Code Official of the City of Salem will conduct annual fire safety checks of the building(s).
- The Fire Code Official of the City of Salem will conduct semi-annual fire drills.
- Emergency escape routes will be established and posted in the building(s).

Employees will be kept informed as safety procedures are established or modified.

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Safety

Report of Unsafe Conditions

Person filing report: _____ Date: _____

Identify unsafe condition: _____

Location: _____

Recommended corrective measures: _____

Referred to for Action: _____ Date: _____

Action taken: _____

Completed by: _____ Date: _____

Security

The County makes every effort to provide for employees' safety and security while at work. The County, however, does not accept responsibility for the protection of employees' personal property. The County is not liable for loss or damage to personal property.

The County maintains a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, County prohibits the possession, transfer, sale, or use of such materials on its premises. The County requires the cooperation of all employees in administering this policy.

Desks, lockers, other storage devices, and County vehicles may be provided for the convenience of employees, but remain the sole property of the County. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the County at any time, either with or without prior notice.

The County may conduct video surveillance of County property to, among other things, identify safety concerns, detect theft, and discourage or prevent acts of harassment and workplace violence. Additionally, the County may monitor employee e-mails.

Security is everyone's responsibility. If any employee sees or suspects that an individual is breaching security, it is the employee's responsibility to notify his or her Department Head immediately.

In the event a serious incident occurs, employees must report it to their Department Head promptly. The following are examples of serious incidents that should be reported immediately:

1. Any accident which results in the injury of a third party while on the premises.
2. Any incident in which physical force is either used by or against an employee.
3. Any incident which involves a crime, or an attempt to commit a crime, such as robbery or the theft of money.
4. Any incident in which a serious unfavorable reaction from the public might be expected.
5. The loss of County keys.
6. Any other incident, which an employee believes is of a nature that it should be brought to the attention of the Department Head without delay.

Security (cont'd)

Employees who notify their Department Head of an incident pursuant to this policy must complete an Incident Report form to document the incident. Incident Report forms should be completed immediately, but in no event more than one working day after the incident. Employees may obtain Incident Report forms from the Human Resources Office.

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Security

Incident Report

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Persons Involved: _____

Description of Events: _____

Employee Name: _____ Date: _____

Signature of Employee: _____ Time Submitted: _____

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Security

Incident Report (cont'd)

Supervisor's Comments: _____

Supervisor Name: _____ Date: _____

Signature of Supervisor: _____ Time Submitted: _____

Disposition or Action Taken (If any): _____

Reviewer Name: _____ Date: _____

Signature of Reviewer: _____ Time Submitted: _____

Smoking Prohibited

In accordance with State law, smoking is prohibited in any area of any County building, including but not limited to the court area, offices, meeting rooms, corridors, lobbies, landings, and bathrooms. Smoking is prohibited by employees, elected and appointed officials and the general public at all public meetings.

Smoking shall only be permitted at designated locations outside County buildings. An employee leaving the work area to smoke outside the building may not leave his or her office unattended. Smoking shall not interfere with the employee's productivity. Non-exempt employees must use designated break times for smoking.

While the County cannot regulate employee conduct off the job or outside of work hours, it is the County's responsibility, pursuant to State law, to provide a workplace free of exposure to hazardous substances. All employees are expected to abide by this policy while at work. Failure to comply shall result in disciplinary action up to and including termination of employment.

Telephone, Cellular Telephone, and Other Recording Devices UsageCounty Telephones

Telephones are only to be used for the daily business of the County. Personal calls should be avoided except for essential calls. Collect calls are not permitted and will not be accepted.

Office telephones should be staffed at all times during the work day. Telephones should be answered promptly and courteously. The employee should identify the Department (or Office) and him- or herself by name.

All employees are responsible for:

- restricting personal calls during business hours to essential urgent personal situations.
- confining personal calls to lunch and rest periods unless an urgent personal situation arises.
- spending as little time as possible on any personal call whenever conducted during business hours.
- ensuring that the County is not obliged to bear the cost of any personal call made by that employee on a County telephone. Employees may:
 1. Use a personal cellular telephone or coin-operated telephone.
 2. Charge the call to a home phone.
 3. Charge the call to a personal credit card.
 4. Reverse the charges (calling collect)
 5. Log the time and destination of the call to establish personal accountability for accepting future charges.
 6. Discourage personal incoming calls except for emergency situations.

Employees may be subject to discipline, up to and including discharge, if they abuse the County's telephones for personal business.

Personal Cellular Telephones

Personal cellular telephones may be used for personal calls and/or personal messaging during working hours only on a limited, incidental basis. Personal calls/messaging on cellular telephones during work hours must not amount to more than minimal, occasional use.

Telephone, Cellular Telephone, and Other Recording Devices Usage (cont'd)

County employees should make every effort to confine personal use of all cellular telephones to authorized break times or lunch or meal periods and only in authorized areas. Employees shall not take photographs, video recordings and or sound recordings without the prior written approval of the Department Head while on County premises or while performing County business.

County-Issued Cellular Telephones

The County strives to, among other things, insure cost effectiveness, obtain technological upgrades, reach maximum plan flexibility, restrict photos to essential need, limit the number of vendors, and ensure the largest coverage network. This policy governs the procurement, installation, use, employee reimbursement, security, maintenance, and disposal of all County provided cellular telephones and related equipment. This policy establishes requirements for demonstrating the necessity of a cellular telephone for employee use; the method of procurement, acceptable and unacceptable uses; and to establish a procedure for employees to reimburse the County for personal use of cellular telephone equipment owned by the County.

This cellular telephone policy is not intended to restrict the diverse needs of our various departments and shall not be applied so as to cause such restriction.

1. All cellular telephones, service plans, and related equipment, including but not limited to, earpieces, headsets, hands free car kits, power chargers, power adapters, batteries, cases, belt clips, etc., funded and purchased by and/or through the County of Salem, shall be considered County of Salem property. This includes all portable telephones, analog or digital, vehicle mounted telephones, and Nextel type telephones.
2. Department Heads requesting a County provided cellular telephone for an employee shall fully complete a Request for Cellular Telephone Form, attach it to a fully completed requisition to purchase, and forward both to the County Administrator, who shall determine the validity of the request. If the cellular telephone carrier requires that their contract be signed it shall also be forwarded to the County Administrator. Department Heads must ensure that the requisition and the Cellular Telephone Form are fully completed. The County Administrator will return any incomplete request forms and/or requisitions to the Department Head.
3. If approved, the County Administrator will forward the requisition and contract, if applicable, to the Purchasing Department for processing of the purchase order and contract review. If the County Administrator does not approve the documentation, it will be returned to the Department Head.

Telephone, Cellular Telephone, and Other Recording Devices Usage (cont'd)

4. The Purchasing Agent will (1) determine the method of acquisition; (2) decide whether quotations or bids are required; (3) determine whether aggregation with other department(s) would prove cost effective; (4) review all cellular telephone contracts; (5) consolidate plans; and (6) obtain cellular telephone upgrades.
5. After the user department has received the cellular telephone and related equipment, pursuant to the issuance of an authorized Salem County purchase order, the County employee shall sign a receipt for acceptance of the equipment. The Department Head will retain the original receipt and immediately forward a copy to the County Administrator.
6. Employees must insure that the equipment assigned and entrusted to them is not lost, damaged, misused, or destroyed. Employees must protect the equipment from theft, damage, destruction, misuse and tampering. The employee shall reimburse the County for any lost, damaged misused, and/or destroyed equipment.
7. County provided cellular equipment assigned to the employee is intended for the authorized use by the employee and is not intended for the use by non-County employees or any other unauthorized individuals. The employee must insure that all County provided cellular equipment is not used in an unauthorized manner and is not used by any non-County employee or by any other unauthorized individuals.
8. Use of County provided cellular telephone is strictly limited to use by County employees for conducting official County of Salem Business. Personal use of County provided cellular telephones shall be strictly limited to those unforeseen telephone communications related to matters such as child care, medical arrangement, unanticipated work schedules, and personal emergencies, when no other form of telephone communication is readily available, and only on an as needed basis.
9. Employees shall reimburse the County, on a monthly basis, for all costs associated with any personal use of County provided cellular telephones.
10. Department Heads must carefully monitor and review all of their employees' cellular telephone usage invoices, including personal usage. The Department Head will, after careful review, on a monthly basis, present each employee with a phone bill indicating the total reimbursement due to the County, if any, for their personal use of the cellular telephone equipment for that billing period. Department Heads may ask employees to review their own telephone usage invoices to identify the personal calls made that month.

Telephone, Cellular Telephone, and Other Recording Devices Usage (cont'd)

11. Within five (5) calendar days of receipt of the phone bill, the employee will make the required reimbursement, in full, to the Department Head. All reimbursements shall be in the form of a check or money order made payable to the Salem County Treasurer. Once all employee reimbursement payments have been received, the Department Head will forward all payments to the Treasurer's Office. The Department Head must ensure that all employees provide payment on time, in the proper amount and form.
12. If an employee fails to reimburse the County in the manner and within the time set forth in this policy, the County will have cause to require the employee to immediately return all cellular telephone equipment and to take disciplinary action.
13. Employees are strictly prohibited from making or receiving collect calls, credit card calls, using *69, directory assistance or any other such phone service. All costs incurred for the use of these and other such features are the employees' responsibility and they shall reimburse the County for the cost of the use of such features.
14. Cellular telephones having camera, e-mail, game, music, internet, and other such functions shall not be approved unless the need for such functions is specifically demonstrated to the County Administrator.
15. County of Salem employees found to be in violation of this policy, in addition to returning cellular telephone equipment, will be subject to disciplinary action, up to and including termination of employment.
16. Department Heads must contact the Purchasing Agent regarding the disposition of cellular telephone equipment that is no longer needed.
17. No department shall procure cellular telephone equipment and/or service except through the process detailed in this policy. Any contract for providing cellular telephones and equipment must be forwarded to the Purchasing Department. Department Heads are not authorized to sign any contracts on behalf of the County.
18. Department Heads must immediately notify the County Administrator, in writing, of any change in users within their Department or of any violations of this policy.

Telephone, Cellular Telephone, and Other Recording Devices Usage (cont'd)Using Cellular Telephone While Driving

Except for high priority business purposes, emergencies, or other situations approved by a Department Head, employees must refrain from cellular telephone use while operating a County vehicle. During operation of a County vehicle, County employees should turn off cellular telephones and rely on voice mail features which can be checked at appropriate times after the operation of the County vehicle has ended.

County employees who must use cellular telephones during operation of a County vehicle may do so only in compliance with all laws, including New Jersey law, which at N.J.S.A. § 39:4-97.3 provides:

1. The use of a wireless telephone by an operator of a moving motor vehicle on a public road or highway shall be unlawful except when the telephone is a hands-free wireless telephone, provided that its placement does not interfere with the operation of a federally required safety equipment and the operator exercises a high degree of caution in the operation of the motor vehicle.
2. The operator of a motor vehicle may use a hand-held wireless telephone while driving with one hand on the steering wheel only if: (1) The operator has reason to fear for his life or safety, or believes that a criminal act may be perpetrated against himself or another person; or (2) The operator is using the telephone to report to appropriate authorities a fire, a traffic accident, a serious road hazard or medical or hazardous materials emergency, or to report the operator of another motor vehicle who is driving in a reckless, careless or otherwise unsafe manner or who appears to be driving under the influence of alcohol or drugs.

Travel ExpensesMileage

A County vehicle should be used in conjunction with travel for official County business whenever possible. If an employee must use his/her privately owned vehicle, reimbursement may be granted for the following:

- Performing official County business;
- Attending a function pertaining to County business that is outside of an employee's regularly scheduled hours; or
- Attending a job-related training session or seminar.

An employee may receive reimbursement for tolls, parking expenses, and mileage. Mileage will be calculated by taking the number of round-trip miles it would take to drive from home to an employee's worksite and deduct it from the total trip miles. The net mileage will be reimbursed at the current IRS rate.

A Department Head must approve the mileage reimbursement request from a County employee before it is incurred. Employees who receive a car allowance are not eligible for mileage reimbursement.

Department head must approve the use of a private vehicle for County business prior to the use.

Insurance

County employees using their personal vehicles who are directed to do so by an appropriate supervisor on authorized business are covered under the County insurance limits, and are not required to provide any insurance coverage beyond what they consider adequate for their personal use of their vehicles. The employee must provide a certificate of insurance to the County Treasurer, citing the minimum coverage required. Also, the employee must submit proof of payment to his or her insurance carrier for the excess insurance required. Employees covered under this provision must also notify the County Treasurer immediately if their insurance lapses or is revoked for any reason. Failure to comply with this policy will subject the employee to disciplinary action.

Meal Allowance

Employees shall be entitled to reimbursement for meals while traveling outside the County of Salem on Official County business. Unless otherwise specified in a collective bargaining agreement, reimbursement shall consist of \$8 for breakfast, \$12 for lunch and \$22 for dinner.

Travel Expenses (cont'd)

Meal reimbursement shall not apply to employees who are attending training sessions or conferences if meals are provided as part of the program.

Other Expenses

An employee shall be entitled to receive the reasonable expenses of travel associated with County business provided that the Department Head approves the expenditures in advance.

Procedure for Reimbursement

To receive reimbursement for mileage, tolls, and parking expenses, employees must submit a request for reimbursement using the Request for Reimbursement Form containing the following:

- Date of travel;
- Travel destination;
- Reason for County travel;
- Number of miles traveled and tolls incurred on County business;
- Verification of mileage (i.e., MapQuest); and
- Parking receipts;
- Meals eligible for reimbursement; and
- Other expenses.

The request for reimbursement must be signed and dated by the employee and by the Department Head who pre-approved the reimbursement request. The employee must submit the request for reimbursement to the Treasurer's Office within thirty (30) calendar days or within the time required by Department Policy.

Unionized Employees

Unionized employees shall only receive travel expense reimbursement in accordance with the provisions of applicable collective bargaining agreements.

Union Membership and Fees

Employees have the right to choose whether to affiliate with the recognized union or employee bargaining agent. No employee shall be required to join any union or other organization as a condition of employment.

Management and supervisory employees shall not discriminate against, interfere with or use coercion against any employee because of his or her affiliations or non-affiliations.

Employees who affiliate with the recognized union will be subject to payroll deductions for union dues immediately according to the provisions of the appropriate negotiated agreement.

Representation fees will be deducted from the paychecks of those employees who choose not to affiliate with the recognized union according to the provisions of the appropriate negotiated agreement.

Regular meetings of the recognized union(s) shall be held after working hours; however, one official union representative (the steward), with prior notification to and the approval of the Director of Human Resources, may investigate contract violations or problems with working conditions during work hours without loss of pay.

Use of County Property

Equipment essential in accomplishing job duties are expensive and may be difficult to replace. When using County property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Equipment and supplies assigned to employees are the responsibility of those employees and are to be used for County business only. Unauthorized use or removal of County equipment and/or supplies shall be cause for disciplinary action and/or termination of employment.

Any incidents involving County employees, property or vehicles which result in damages or injuries, no matter how minor, must be reported by the employee to his or her Department Head immediately. See Reporting Incidents Involving County Employees or Property form in this section of the Manual.

Employees must notify their supervisor if any equipment, machines, or tools appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles may result in disciplinary action, up to and including termination of employment. Employees who fail to follow established reporting procedures or are negligent in the use of County property or equipment will be subject to disciplinary action. Employees may be liable for damages incurred to County equipment or property if such damage is the result of employee negligence.

Use of County Vehicles

Salem County owns, leases or contracts a number of vehicles that are used for County business. The Board of Chosen Freeholders assigns these vehicles to various departments based on need. County vehicles, with the exception of those used by “on call” employees or as otherwise excepted by collective bargaining agreement, are maintained at the County garage. Department Heads, with the concurrence of the Freeholder Chairperson, determine whether an employee may take a vehicle home. Employees of the Prosecutor’s Office and other Departments must comply with Department-specific policies on the use of County vehicles.

Assignment of Vehicles to County Departments

The Board of Chosen Freeholders shall have the authority to assign County Vehicles. The Administrator, Supervisor of Roads and Bridges, and Department Heads will monitor the requirements of their respective Department and assigned autos to make appropriate recommendations to the Board of Chosen Freeholders.

Minimum Standards

Prior to the procurement and/or assignment of any passenger vehicle to any County Department, the following minimum standards must be satisfied:

- A vehicle is essential to the performance of required work, and/or
- A vehicle requires the installation of special equipment (radios, etc.) to perform a Department function or assigned duties.
- Projected annual use of the vehicle is over 12,000 miles. All vehicles shall be assigned for the sole purpose of implementing efficient and cost effective County operations. Permanent assignment shall not be made if it is possible and practical to use a fleet car on a temporary basis. Loaner vehicles are available by filling out requisition forms from the Roads and Bridges Department.

Method of Obtaining a County Vehicle for Department Use

Each year, prior to September 1, Department Heads desiring additional passenger vehicles for their Department must make such request in writing to the County Treasurer with a budget request and copy to the Roads and Bridges and Purchasing Departments.

During the budget preparation process, Fleet Management and the County Administrator will review Department requests and will make final recommendations to the Board of Freeholders. After the final determination by the Board of Chosen Freeholders, Fleet Management will advise each Department of the Freeholder’s action. Fleet Management and the County Administrator

Use of County Vehicles (cont'd)

will review emergency situations. The County Administrator and Freeholders will make the final determination in writing.

Fleet Management shall determine the type of vehicle for the assignment.

Types of Vehicle Use

1. Pooled Use (Fleet Management)

The pooled use of a vehicle means the use of a vehicle assigned to a Department by several designated staff. Cumulative usage on pooled vehicles should total a minimum of 12,000 annually. Fleet Management may authorize the use of any vehicle if satisfied that:

- The vehicle is needed during the repair or replacement of another assigned vehicle; or
- The vehicle is needed for work related travel greater than 30 miles (one way).

2. Limited Use

Limited use vehicles are those vehicles permanently assigned to designated staff for use during regular working hours. The Administrator may authorize the limited use of a vehicle if satisfied that the minimum standards set forth above are met.

3. Full Use

Full use vehicles are permanently assigned to designated staff for business use only 24 hours per day, 7 days per week except for vacation and periods of extended illness. Only the Board of Chosen Freeholders may authorize a full use vehicle if it is satisfied that:

- The continued daily use of the vehicle is essential to the performance of the required work, and/or
- The vehicle will be used a minimum of 12,000 miles annually, and/or
- Performance of the job requires frequent travel beyond the normal working day.

4. Full Use—Special Circumstances

The Board of Chosen Freeholders may authorize the full use of a vehicle under special circumstances if it is satisfied that:

- A need for the immediate dispatching of the vehicle, especially equipped, and the employee exist (i.e., emergency road service), or
- The vehicle is essential to meet multi-County responsibilities (i.e., County Health Department).

Use of County Vehicles (cont'd)Duties of Fleet Management

Fleet Management is responsible for the establishment and administration of an effective preventative maintenance program for all County vehicles. Vehicles are to be brought to the appropriate garage for preventative maintenance upon notification by the Fleet Management. A loaner vehicle will be provided by Fleet Management whenever possible. Whether or not a loaner car is available, the Department is required to bring vehicles in for service when called.

Fleet Management, along with the Purchasing Agent, will prepare all specifications for the purchase of County vehicles, in cooperation with the various Departments and offices whenever appropriate. All purchased vehicles will be received from the vendor by Fleet Management personnel. Fleet Management will inspect all new vehicles upon receipt to ensure vendor compliance with the specifications.

Fleet Management will prepare all new vehicles for the road and will apply the County seal to all vehicles required to display a County seal and 1-800 number to report unsafe drivers. The seal and number must be permanently affixed in a uniformly prescribed location. Magnetic or temporary seals are prohibited.

Fleet Management is responsible for providing the following information in the glove compartment of each vehicle:

- A copy of this policy;
- The vehicle's insurance card;
- The vehicle's registration card;
- Instructions for reporting break-downs;
- Incidental accident report form;
- A vehicle accident kit, containing insurance forms and procedural instructions.

Whenever a vehicle is brought in for service, Fleet Management will check to see that all required items are in the glove compartment and replace any missing items.

Fleet Management and the Treasurer's Office will retain a list of individuals authorized to drive each vehicle.

Fleet Management will provide forms for each vehicle on which drivers can maintain a mileage log of the travel.

Fleet Management will inspect all vehicles every 90 days at their discretion for body damage, cleanliness, credentials, etc.

Use of County Vehicles (cont'd)

Department Head Responsibilities

Department Heads are responsible for:

Department Heads must assure that all County employees driving County vehicles are properly licensed initially and on an ongoing basis. A list of all drivers' names and verification that they hold current valid driver's licenses must be provided to the Human Resources Office annually.

Note: Employees are required to notify their Department Head immediately upon loss or suspension of license.

Department Heads must ensure that all vehicles assigned to the Department remain properly assigned based on the criteria set forth in this policy.

Department Heads must ensure that all vehicles dispatched are returned at the end of County working hours and properly parked and secured unless permission has been granted by the Administration for overnight usage of a vehicle on official County business.

Department Heads must designate a person from within the Department to assume responsibility for submitting the monthly vehicle log for each vehicle to Fleet Management on the first Monday of each month. The Department Head will make his or her designation in writing.

The Department Head must ensure that all vehicles assigned to their Department are kept clean inside and outside at all times.

Each Department Head is responsible for ensuring that this policy is placed in the glove compartment of all vehicles assigned to that Department.

No Personal Use

With the exception of vehicles assigned to personnel on a 24-hour basis, all County vehicles are to be used for official business only and vehicles may not be used for any personal use. All County employees are responsible for providing their own transportation to and from work and to and from lunch. The County does not provide County vehicles for this purpose. Personal use of a County vehicle shall be cause for disciplinary action up to and including termination of employment.

Those person assigned a vehicle on a 24-hour basis will have an income tax liability for the value of the personal use of the car. This reporting will be calculated based on what is known as the

Use of County Vehicles (cont'd)

“Fair Market Approach.” The reporting will require the submission of records regarding the business and personal use of the vehicle.

Only authorized personnel may be transported in County vehicles. No family member or private citizens shall be transported in a County vehicle. An exception to this requirement will be the transport of persons in vehicles in the line of duty as authorized by the applicable Department Head.

Fuel and Maintenance

The County provides fuel and maintenance for all County vehicles. Employees must obtain fuel and routine maintenance at the County Road Department garage. The Road Department performs general maintenance, by appointment, every 3,000 miles. Employees must arrange for service with the Road Department at a mutually convenient time. Employees must also notify their supervisor of the vehicle's need for service to avoid conflicts with work obligations.

On occasion, the Road Department will have community service and other personnel available to wash and wax vehicles. Employees should use this service for County vehicles when possible.

Damaged or Defective Vehicles

Please notify the supervisor if any vehicle appears to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of vehicle and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of vehicles used on the job.

Vehicle Documents

Each employee is responsible to assure that necessary documents are maintained in the vehicle glove compartment. Those documents include the vehicle registration and insurance card, warranty card, and for vehicles with red emergency beacons, a copy of the letter or authorization. In addition, each glove compartment should contain a blank accident report for use if necessary.

Usage Rules

In operating County vehicles, employees must abide by the following:

- Employees assigned vehicles or Department Heads whose units are assigned vehicles are responsible for ensuring vehicles are clean, in good operating condition, serviced according to the established preventative maintenance

Use of County Vehicles (cont'd)

schedule at the Roads Department, and inspected by the New Jersey Division of Motor Vehicles as required.

- Assigned drivers must have a valid New Jersey Driver's License and, if applicable a Commercial Driver's License that authorizes them to operate vehicles that requires a Commercial Driver's License. Employees must have their New Jersey Driver's License and, if applicable, Commercial Driver's License in their possession at all times while operating a County vehicle.
- County vehicles may only be driven by the persons to whom they are assigned or otherwise designated by the Department Head or his or her designee.
- Vehicles shall be used in accordance with New Jersey motor vehicle laws and Department procedures. Drivers must fully cooperate with all State and Local law enforcement officers. The County is not responsible for violations of traffic laws and regulations by drivers of County vehicles.
- Vehicles shall be used for official, work-related activities only and only by employees authorized to use them by their Department Head and only for the work function authorized by the Department Head. Employees must not use vehicles for other activities such as excursions for check cashing or coffee break supplies.
- Insurance premiums are paid by the County. Current insurance cards will be placed in vehicle glove compartments; however, it is the operator's responsibility to ensure that the current vehicle registration and insurance card are in his or her possession.
- Employees must turn in a pre-trip inspection checklist prior to driving.
- All drivers and occupants must wear seatbelts and shoulder belts.
- Smoking in County vehicles is prohibited.
- All drivers must comply with the County's policy on cellular telephone usage.
- Reckless or negligent driving of County vehicles will not be tolerated. County employees who are found to guilty of moving violations or who are observed in violations of traffic laws will be subject to disciplinary action by the County including loss of driving privileges, suspension and/or dismissal.

Use of County Vehicles (cont'd)Strategy for Cost Effectiveness

Employees having out of County travel orders may be authorized by their Department Head to use a County vehicle. To reduce overtime, the Department Head may direct the employee assigned the vehicle to take the vehicle home the night before and return it the morning after the assigned travel. It is reasonable to expect employees on travel to park in parking places at their destination and in restaurant parking lots while obtaining meals authorized by the travel order.

Employees assigned to Emergency Response Teams must provide prompt response to emergency incidents. There are times when the presence of these responders is required for emergencies during off duty periods. Therefore, these employees will be directed to park the vehicle assigned to them within a reasonable distance of their home.

Employees who are required to represent the County at evening meetings, court hearings, or on other County business may be directed by their Department Head to take the County vehicle home with them, to better serve the public and reduce mileage costs.

Reporting Abuse of County Vehicles

Employees who learn of abuse of a County vehicle must report the violation to their Department Head immediately. The Department Head will log the complaint, investigate and submit a formal report to the County Administrator.

Vehicle Accident

Immediately after an accident occurs, the operator shall contact his Department Head and, if appropriate, the local police, no matter how minor the accident or whether it involves property, other vehicles or personal injury.

The operator shall obtain all pertinent information pertaining to persons and vehicles involved in the accident, including:

- All drivers' names, addresses, phone numbers and drivers' license numbers.
- All passengers' names, addresses and phone numbers.
- All witnesses' names, addresses and phone numbers.
- All vehicle license plates numbers,

Use of County Vehicles (cont'd)

- Insurance policies, names and numbers.
- The identity of any police department involved in investigation of the accident.

The Department Head will oversee and/or assist the employee in completing a written report. The written report must contain all details of the incident including all of the information specified and must include a diagram plan to show graphically exactly how the accident occurred.

The employee must prepare and sign all report forms required by New Jersey Law.

Employees may be liable for damages incurred to County vehicles if such damage is the result of employee recklessness or negligence. The improper, reckless, careless, negligent, destructive, or unsafe use or operation of vehicles will result in disciplinary action, up to and including termination of employment.

Tickets Issued to County Employees

All tickets issued to County employees while operating a County vehicle shall be reported to the Department Head immediately. Similarly, County employees must report tickets for non-moving violations to their Department Head immediately.

All tickets issued to County vehicles while being used by a County employee shall be the responsibility of the employee operating the vehicle or to whom the vehicle was assigned at the time the ticket was given.

Excessive or avoidable traffic and parking violations will result in disciplinary action, up to and including termination of employment.

Vehicle Appearance

All County vehicles are to be kept presentable at all times and washed whenever mud or road salt has accumulated for a period of two weeks or more.

With the exception of certain law enforcement vehicles, all County vehicles have the County seal displayed on the door and the vehicle number and the Department are identified on the rear of the vehicle.

Employees assigned the use of a vehicle are responsible for inspections of the vehicle on a daily basis. Vehicles shall be secured at the place of work at the end of the shift. If the vehicle is

Use of County Vehicles (cont'd)

turned over to another person, that employee is responsible for inspection of the vehicle prior to his or her shift and must report any damage to his or her Department Head.

Proper Care of Vehicle

All vehicles should be tuned with regularity. A vehicle, on average, can save one mile per gallon from a simple engine tune-up. Regular inspection may also reveal:

- a misfiring spark plug which can waste up to two miles per gallon;
- a faulty carburetor choke which can waste up to three miles per gallon;
- a clogged air filter which can waste up to one mile per gallon.

Wise Driving Habits

SLOW DOWN—The faster you drive, the more gasoline your vehicle consumes. Driving your vehicle at 70 miles per hour instead of 50 miles per hour can waste up to one mile per gallon.

PACE DRIVING—Unnecessary stopping and starting can waste up to two miles per gallon. It is more efficient to maintain a reasonable distance from the car ahead and anticipate traffic conditions.

AVOID ERRATIC DRIVING—Erratic driving uses about twice as much gasoline as “smoothed out” starting.

USE AIR CONDITIONING SPARINGLY—Excessive use of air conditioning can cost up to two miles per gallon.

AVOID LONG ENGINE IDLE—Allowing your engine to idle for long periods of time wastes gasoline. If you are delayed for more than a few minutes, turn off your engine.

PLAN TRIPS CAREFULLY—Short trips should be combined. The information on car pools should be carefully studied and given favorable consideration.

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Use of County Vehicles

Pre-Trip Inspection Checklist

Vehicle (Make/Model/Year): _____

Odometer Reading: _____

Date: _____ Time: _____ a.m./p.m.

Check any item that needs attention, including details under “comments.” Do not drive the vehicle until defects that affect the safe operation of the vehicle have been corrected.

Outside the Vehicle:

Inspect the following:

Tires

OK Needs Attention

- ☐ ☐ Proper inflation
- ☐ ☐ Adequate tread
- ☐ ☐ Spare inflated

Leaks (Look Underneath)

OK Needs Attention

- ☐ ☐ Oil
- ☐ ☐ Other _____

Inside the Vehicle:

Start the engine and test the following:

Noises

OK Needs Attention

- ☐ ☐ Describe

Other

OK Needs Attention

Lights (ask someone to help)

OK Needs Attention

- ☐ ☐ Headlights
- ☐ ☐ Break lights
- ☐ ☐ Turn signals
- ☐ ☐ Hazard lights

- ☐ ☐ Windshield wipers
- ☐ ☐ Fans and defroster
- ☐ ☐ Brakes (including parking brake)
- ☐ ☐ Mirrors
- ☐ ☐ Horn
- ☐ ☐ Exhaust system (muffler, tailpipe)
- ☐ ☐ Seat belts (one for each passenger)

Gauges

OK Needs Attention

- ☐ ☐ Fuel
- ☐ ☐ Temperature
- ☐ ☐ Dashboard warning light

Use of County Vehicles

Pre-Trip Inspection Checklist (cont'd)

Comments: _____

☐ Condition of vehicle is acceptable

Signature of Driver: _____

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Use of County Vehicles

Incident Report
Involving County Employees and/or Property

Date of Incident: _____ Time: _____

Location: _____

Brief description (including all pertinent information such as weather conditions:

Diagram of how accident happened:

Describe any property damage, injuries, etc. (If possible, include estimates of cost for repair and replacements, extent of injuries, etc.): _____

If any injuries were involved, did the injured parties accept treatment? Where? _____

Please note names, addresses and telephone numbers of all parties involved, including witnesses:

VII. GENERAL RULES AND REGULATIONS

EXHIBIT

Use of County Vehicles

Incident Report
Involving County Employees and/or Property (cont'd)

License plate numbers of other vehicles involved: _____

Police Department involved: _____

Please fill out at the return to the Department Head by the end of the next working day.

Completed by: _____ Date form completed: _____

Department: _____ Telephone Number: _____